

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3048: Appropriation; Secretary of State.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, for the support and
7 maintenance of the Secretary of State for the fiscal year
8 beginning July 1, 2024, and ending June 30, 2025.....
9\$ 13,371,056.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby authorized for expenditure out of any special
12 source funds which are collected by or otherwise become available
13 for the purpose of defraying the expenses of the Secretary of
14 State for the fiscal year beginning July 1, 2024, and ending
15 June 30, 2025.....\$ 18,295,640.00.

16 **SECTION 3.** Of the funds appropriated under the provisions of
17 Section 1, the following positions are authorized:



18 AUTHORIZED HEADCOUNT:

19 Permanent: 96

20 Time-Limited: 12

21 With the funds herein appropriated, it shall be the agency's
22 responsibility to make certain that funds required for Personal
23 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
24 appropriated for that purpose unless programs or positions are
25 added to the agency's Fiscal Year 2025 budget by the Mississippi
26 Legislature. The Legislature shall determine the agency's
27 personal services appropriation, which the State Personnel Board
28 shall publish. The agency's personal services appropriation may
29 consist of restricted funds for approved vacancies for Fiscal Year
30 2025 that may be utilized to fill vacant Fiscal Year 2024
31 headcount. It shall be the agency's responsibility to ensure that
32 the funds provided for vacancies are used to increase headcount
33 and not for promotions, title changes, in-range salary adjustments
34 or any other mechanism for increasing salaries for current
35 employees. It is the Legislature's intention that no employee
36 salary falls below the minimum salary established by the
37 Mississippi State Personnel Board.

38 Additionally, the State Personnel Board shall determine and
39 publish the projected annualized payroll costs based on current
40 employees. It shall be the responsibility of the agency head to
41 ensure that actual personnel expenditures for Fiscal Year 2025 do
42 not exceed the data provided by the Legislative Budget Office. If



43 the agency's Fiscal Year 2025 projected cost exceeds the
44 annualized costs, no salary actions shall be processed by the
45 State Personnel Board except for new hires determined to be
46 essential for the agency.

47 Any transfers or escalations shall be made in accordance with
48 the terms, conditions, and procedures established by law or
49 allowable under the terms set forth within this act. The State
50 Personnel Board shall not escalate positions without written
51 approval from the Department of Finance and Administration. The
52 Department of Finance and Administration shall not provide written
53 approval to escalate any funds for salaries and/or positions
54 without proof of availability of new or additional funds above the
55 appropriated level.

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

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

64 **SECTION 4.** It is the intention of the Legislature that the
65 Office of the Secretary of State shall maintain complete
66 accounting and personnel records related to the expenditure of all
67 funds appropriated under this act and that such records shall be



68 in the same format and level of detail as maintained for Fiscal
69 Year 2024. It is further the intention of the Legislature that
70 the agency's budget request for Fiscal Year 2026 shall be
71 submitted to the Joint Legislative Budget Committee in a format
72 and level of detail comparable to the format and level of detail
73 provided during the Fiscal Year 2025 budget request process.

74 **SECTION 5.** None of the funds appropriated by this act shall
75 be expended for any purpose that is not actually required or
76 necessary for performing any of the powers or duties of the Office
77 of the Secretary of State that are authorized by the Mississippi
78 Constitution of 1890, state or federal law, or rules or
79 regulations that implement state or federal law.

80 **SECTION 6.** No part of the funds appropriated herein shall be
81 used, either directly or indirectly, for the purpose of paying any
82 clerk, stenographer, assistant, deputy, or other person who may be
83 related by blood or marriage within the third degree, computed by
84 the rules of the civil law, to the official employing or having
85 the right of employment or selection thereof; and in the event of
86 any such payment, then the official or person approving and making
87 or receiving such payment shall be jointly and severally liable to
88 return to the State of Mississippi and to pay into the State
89 Treasury three (3) times any such amount so paid or received, to
90 be recovered at suit of the Attorney General; provided that when
91 the relationship is by affinity and the person through whom the



92 relationship was established is dead, this provision shall not
93 apply.

94 **SECTION 7.** Of the funds appropriated in Section 1 of this
95 act, the Secretary of State may use funds appropriated for the
96 purposes of defraying litigation expenses associated with the
97 enforcement of the Mississippi Securities Act, the Regulation of
98 Charitable Solicitations Act, and the administration of the Public
99 Trust.

100 **SECTION 8.** In compliance with the "Mississippi Performance
101 Budget and Strategic Planning Act of 1994," it is the intent of
102 the Legislature that the funds provided herein shall be utilized
103 in the most efficient and effective manner possible to achieve the
104 intended mission of this agency. Based on the funding authorized,
105 this agency shall make every effort to attain the targeted
106 performance measures provided below:

	FY2025
<u>Performance Measures</u>	<u>Target</u>
Business Services	
Percent of Business Services Customer	
Phone Calls Answered	95.00
Elections	
Number of Poll Workers to Successfully	
Complete the Online Training Program	82
Number of Voter Registrations Updated on	
Secure Online Website	6,400



117	Percent of Poll Workers who Successfully	
118	Complete the Online Poll Manager	
119	Training on Their First Attempt	60.00
120	Publications	
121	Number of Visits to the Secretary of	
122	State's Website	9,000,000
123	Public Lands	
124	Number of Tax-Forfeited Properties Sold	2,000
125	Support Services	
126	Support Services as a Percent of Total	
127	Agency Expenditures	25.00

128 A reporting of the degree to which the performance targets
129 set above have been or are being achieved shall be provided in the
130 agency's budget request submitted to the Joint Legislative Budget
131 Committee for Fiscal Year 2026.

132 **SECTION 9.** Of the funds appropriated in Section 1 of this
133 act, no more than Five Hundred Thousand Dollars (\$500,000.00) is
134 provided for paying principal and interest on bond issues for
135 county voting systems.

136 **SECTION 10.** Of the funds appropriated in Section 2 of this
137 act, One Million Seven Hundred Fifty Thousand Dollars
138 (\$1,750,000.00), or so much thereof as may be necessary, is
139 appropriated out of any money in the State Treasury to the credit
140 of the Land Records Maintenance Fund, for the purpose of making



141 distributions to local governments for taxes owed during the
142 fiscal year.

143 **SECTION 11.** Of the funds appropriated in Section 2 of this
144 act, Four Million Two Hundred Fifteen Thousand Three Hundred
145 Ninety-three Dollars (\$4,215,393.00), or so much thereof as may be
146 necessary, is appropriated out of any money in the State Treasury
147 to the credit of the Elections Support Fund, for the purpose of
148 acquiring, upgrading, maintaining, or repairing voting equipment,
149 systems, and supplies, hiring temporary technical support,
150 conducting elections using such voting equipment or systems and
151 training election officials during the fiscal year.

152 **SECTION 12.** Of the funds appropriated in Section 2 of this
153 act, Eleven Million Dollars (\$11,000,000.00), or so much thereof
154 as may be necessary, is appropriated out of any money in the State
155 Treasury to the credit of the Public Trust Tidelands Fund, and is
156 authorized to be transferred by the Secretary of State to the
157 Mississippi Department of Marine Resources.

158 **SECTION 13.** It is the intention of the Legislature that
159 whenever two (2) or more bids are received by this agency for the
160 purchase of commodities or equipment, and whenever all things
161 stated in such received bids are equal with respect to price,
162 quality and service, the Mississippi Industries for the Blind
163 shall be given preference. A similar preference shall be given to
164 the Mississippi Industries for the Blind whenever purchases are
165 made without competitive bids.



166 **SECTION 14.** Of the funds appropriated in Section 1 of this
167 act, One Million Dollars (\$1,000,000.00) is for the purpose of
168 expenses related to cybersecurity and election integrity.

169 **SECTION 15.** The following sum, or so much thereof as may be
170 necessary, is reappropriated out of any money in the State General
171 Fund not otherwise appropriated for the Secretary of State for the
172 purpose of reauthorizing the expenditure of State General Funds as
173 authorized in SB 3049, 2023 Regular Session, to provide for
174 disaster data recovery, publication and technology support, for
175 the fiscal year beginning July 1, 2024, and ending
176 June 30, 2025.....\$ 460,000.00.

177 Notwithstanding the amount reappropriated under the
178 provisions of this section, in no event shall the amount expended
179 exceed the unexpended balance as of June 30, 2024.

180 **SECTION 16.** The following sum, or so much thereof as may be
181 necessary, is reappropriated out of any money in the Capital
182 Expense Fund not otherwise appropriated to the Secretary of State
183 for the purpose of reauthorizing the expenditure of Capital
184 Expense Funds, as authorized in SB 3049, 2023 Regular Session, to
185 at the Secretary of State for the purpose of the Mississippi
186 Voting Modernization Act, Section 23-15-533.2, Mississippi Code of
187 1972, for the fiscal year beginning July 1, 2024, and ending
188 June 30, 2025.....\$ 1,200,000.00.

189 Notwithstanding the amount reappropriated under this section,
190 the amount that may be expended under the authority of this



191 section shall not exceed the unexpended balance of the funds
192 remaining as of June 30, 2024, from the amount authorized for the
193 previous fiscal year. In addition, this reappropriation shall not
194 change the purpose for which the funds were originally authorized.

195 **SECTION 17.** Of the funds appropriated under the provisions
196 of Section 2 of this act, Eight Hundred Seventy-five Thousand
197 Dollars (\$875,000.00), or so much as may be necessary, shall be
198 derived out of any money in the State Treasury to the credit of
199 the Capital Expense Fund, as created in Section 27-103-303,
200 Mississippi Code of 1972, and allocated in a manner as determined
201 by the State Treasurer. These funds are provided to the Secretary
202 of State for the purpose of updates, enhancements, and maintenance
203 to the Statewide Elections Management System.

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

210 **SECTION 19.** This act shall take effect and be in force from
211 and after July 1, 2024.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2025.



CONFEREES FOR THE SENATE

X (SIGNED)
Hopson

X (SIGNED)
Michel

X (SIGNED)
McCaughn

CONFEREES FOR THE HOUSE

X (SIGNED)
Mims

X (SIGNED)
Read

X (SIGNED)
McKnight

