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Chapter No. 444
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HOUSE BILL NO. 677

Originated in House  Clerk

HOUSE BILL NO. 677

AN ACT TO CREATE A NEW CODE SECTION, SECTION 27-103-159, MISSISSIPPI CODE OF 1972, TO REQUIRE THE LEGISLATIVE BUDGET OFFICE, THE PEER COMMITTEE STAFF, THE DEPARTMENT OF CORRECTIONS, THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HEALTH, AND THE DEPARTMENT OF TRANSPORTATION TO DEVELOP AND RECOMMEND TO THE LEGISLATIVE BUDGET COMMITTEE AN INVENTORY OF PROGRAMS AND ACTIVITIES FOR THE DEPARTMENTS SET OUT HEREIN; TO REQUIRE THE LEGISLATIVE BUDGET OFFICE TO RECOMMEND TO THE LEGISLATIVE BUDGET COMMITTEE METHODS FOR INCORPORATING THESE CATALOGUES OF PROGRAMS INTO THE LEGISLATIVE BUDGET RECOMMENDATIONS AND APPROPRIATIONS PROCESS FOR FY2017; TO REQUIRE THAT THE LEGISLATIVE BUDGET COMMITTEE RECOMMEND TO THE LEGISLATURE BY THE 2019 REGULAR SESSION A PLAN FOR REQUIRING ALL STATE AGENCIES TO COMPLY WITH THE REQUIREMENTS OF THIS ACT; TO AMEND SECTIONS 27-103-153 AND 27-103-155, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE DEPARTMENT OF CORRECTIONS, THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF TRANSPORTATION COMPLY WITH CERTAIN REQUIREMENTS OF THE MISSISSIPPI PERFORMANCE BUDGET AND STRATEGIC PLANNING ACT OF 1994; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following shall be codified as Section 27-103-159, Mississippi Code of 1972:

27-103-159. (1) For purposes of this section, the following terms shall have the following meanings ascribed to them:

(a) "Evidence-based program" shall mean a program or practice that has had multiple site random controlled trials across heterogeneous populations demonstrating that the program or practice is effective for the population.

(b) "Research-based program" shall mean a program or practice that has some research demonstrating effectiveness, but that does not yet meet the standard of evidence-based practices.

(c) "Promising practices" shall mean a practice that presents, based upon preliminary information, potential for becoming a research-based or evidence-based program or practice.

(d) "Other programs and activities" shall mean all programs and activities that do not fit the definition of evidence-based, research-based or promising practices programs.

(e) "Program inventory" shall mean the complete list of all agency programs and activities that meet any definition set out in this section.

(f) "Program catalogue" means a compendium of programs compiled by a reputable source that publishes information for use by the government.

(2) Beginning with the fiscal year 2016 budget cycle, the Legislative Budget Office shall require the Department of Corrections, the Department of Health, the Department of Education, and the Department of Transportation to comply with the requirements of this section respecting the inventorying of agency programs and activities for use in the budgeting process. The

aforementioned agencies shall submit all program information to the Legislative Budget Office in accordance with any policies established by that office setting out requirements for any filings required under this act.

(3) The Legislative Budget Office, the PEER Committee staff, and personnel of each of the agencies set out in this section shall review the programs of each agency and shall:

(a) Establish an inventory of agency programs and activities;

(b) Categorize all agency programs and activities as evidence-based, research-based, promising practices, or other programs and activities with no evidence of effectiveness, and compile them into an agency program inventory. In categorizing programs, the staffs may consult the Washington State Institute for Public Policy's Evidence Based Practices Institute's program catalogue or any other comparable catalogue of evidence-based, research-based, promising practices, or other programs and activities;

(c) Identify agency and program premises, goals, objectives, outcomes and outputs, as well as any other indicator or component the staffs consider to be appropriate;

(d) Establish a procedure for base-lining programs which are built around promising practices or other programs that do not meet the definition of evidence-based or research-based

programs, so that further research can be conducted to gauge the program's effectiveness;

(e) Describe any methodologies used to develop any program which is neither evidence-based or research-based; and

(f) Establish a procedure for determining cost-benefit ratios for all programs of each agency.

(4) The Legislative Budget Office shall report to the Legislative Budget Committee the results of all activities required by this section with recommendations as to how this information can be incorporated into budget recommendations and the appropriations process. The Legislative Budget Committee may incorporate such recommendations into the fiscal year 2017 budget and appropriations bills, or delay such incorporation until the committee is satisfied that the information collected and inventoried under the requirements of this bill will enhance accountability and performance measurement for the programs and activities of state agencies.

(5) Beginning in the fiscal year 2017 budget cycle, the Department of Corrections, the Department of Education, the Department of Health and the Department of Transportation may be exempted from the requirement to prepare any information required by Section 27-103-153 and Section 27-103-155, Mississippi Code of 1972, except for the strategic planning requirements of Section 27-103-155.

(6) The Legislative Budget Committee shall, no later than the 2019 Regular Session of the Legislature, make a recommendation to the Legislature regarding the application of the processes and requirements of this section to all agencies of state government.

SECTION 2. Section 27-103-153, Mississippi Code of 1972, is amended as follows:

27-103-153. (1) Beginning with the 1996 fiscal year, the appropriation bills enacted to provide funding for each state agency or institution shall include performance targets for each performance measure established for each program within each such agency. Said performance targets shall be established annually by the Legislature and shall be based upon the funding level authorized for each agency within its appropriation bill. The Department of Finance and Administration shall provide accounting system services to each agency to allow both program expenditures and performance measurement data to be maintained and reported in such form and in such detail as may be required by the Joint Legislative Budget Committee.

(2) As provided in Section 1 of this act, the Department of Corrections, the Department of Education, the Department of Health and the Department of Transportation may be exempted from the requirements of this section.

SECTION 3. Section 27-103-155, Mississippi Code of 1972, is amended as follows:

27-103-155. (1) Beginning with the 1995 fiscal year, the Legislature shall make available funds for the employment of such persons as may be required to conduct an evaluation of the actual performance accomplishments of each agency and its programs in comparison to the targeted performance levels established within the appropriation bill for each agency and its programs. The results of such evaluations shall be prepared in such form and in such detail as may be required by the Joint Legislative Budget Committee. Beginning with the 1996 fiscal year, the Legislative Budget Office and the Department of Finance and Administration shall review the five-year strategic plans submitted by each agency as an addendum to its budget request and shall make copies of said plans available to the Legislature for review and consideration.

(2) As provided in Section 1 of this act, the Department of Corrections, the Department of Education, the Department of Health and the Department of Transportation may be exempted from the requirements of this section, except for those requiring the production of agency strategic plans.

SECTION 4. This act shall take effect and be in force from
and after July 1, 2014.

PASSED BY THE HOUSE OF REPRESENTATIVES
February 7, 2014


SPEAKER OF THE HOUSE OF REPRESENTATIVES

~~PASSED BY THE SENATE~~
March 10, 2014


PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR


GOVERNOR
3/27/14 12:15 pm