4/11/18 2:17 P.M.

Chapter No. 83
18/SS02/A600SG
AR / LR/RC

SENATE BILL NO. 2991

Originated in Senate Secretary

SENATE BILL NO. 2991

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2019.

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

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Department of Information Technology Services, for the fiscal year beginning July 1, 2018, and ending June 30, 2019..... $ 27,508,514.00.

SECTION 2. The following sum, or so much thereof as may be necessary, and contingent upon the passage of Senate Bill 2779, 2018 Regular Legislative Session, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Information Technology Services which are collected by or otherwise become available for the purpose of defraying expenses of the Mississippi Department of Information Technology Services as provided in Senate Bill 2779

for the fiscal year beginning July 1, 2018, and ending June 30, 2019.....$ 20,570,031.00.

The funds in this section are provided to defray the costs incurred by the Department of Information Technology Services for providing telecommunication services, data center services, and/or other information technology services to state agencies.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time.....	140
	Part Time.....	0
Time-Limited:	Full Time.....	0
	Part Time.....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2020 do not exceed Fiscal Year 2019 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2019 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2019

appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2019 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

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

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

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating

to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of defraying the expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2018, and ending June 30, 2019.....
.....$ 8,001,721.00.

The Wireless Communication Commission shall follow all state procurement and bid laws for all contracts and consultants.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time.....	10
	Part Time.....	0
Time-Limited:	Full Time.....	0
	Part Time.....	0

The commission is hereby authorized to escalate federal funds and other special funds in accordance with rules and regulations of the Department of Finance and Administration.

SECTION 6. It is the intention of the Legislature that none of the funds appropriated under the provisions of Section 3 for the Wireless Communication Commission (WCC) shall be expended for the purpose of making a payment of any kind or for any purpose,

directly or indirectly, to a member of the State of Mississippi Legislature, state official, WCC member, or person who has been a member of the WCC within the last year.

SECTION 7. It is the intention of the Legislature that the Department of Information Technology Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2018. It is further the intention of the Legislature that the budget request for Fiscal Year 2020 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2019 budget request process.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency

shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2018.

PASSED BY THE SENATE
March 26, 2018

Tate Reeves

PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 26, 2018

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

April 11, 2018
2:17 pm