SENATE BILL NO. 3021
(As Sent to Governor)

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE
EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR
FISCAL YEAR 2024.

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 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 Employment Security for
the fiscal year beginning July 1, 2023, and ending
June 30, 2024.................................$ 1,400,000.00.

SECTION 2. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in the State
Treasury to the credit of the Mississippi Department of Employment
Security, or its successor, for the purpose of defraying the
expenses incurred by said department for the fiscal year beginning
July 1, 2023, and ending June 30, 2024............$ 148,576,206.00.

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

Permanent: 479
Time-Limited: 135

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If
the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

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 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 the 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.** Of the funds appropriated under the provisions of Section 2 of this act, the following sum shall be derived from money in the Unemployment Trust Fund, made available to this state under Section 903 of the Social Security Act, as amended (42 USCA
Section 1103), to the Mississippi Department of Employment Security to be deposited in the Employment Security Administration Fund and used by the Mississippi Department of Employment Security for the following purposes:

(a) Payment of various One-Stop Administration expenses that support the service delivery of employment and workforce information services. This includes, but is not limited to, the following activities:

(i) Staff for delivery of reemployment services to UI claimants, including group job search assistance and staff-assisted referrals to jobs.

(ii) Equipment and resources for resource rooms.

(iii) Payment for rent, utilities and maintenance of facilities, including common spaces such as resource rooms, reception areas, conference areas, etc.

(iv) Payment of shared costs for operation of local One-Stop Career Centers, including payment for One-Stop operators.

(v) Purchase of computer equipment, network equipment, telecommunications equipment, application development and other technology resources.

(vi) Training, technical assistance, and professional development of staff who deliver employment and workforce information services.
(vii) Access Improvement costs for individuals with disabilities, including remodeling or retrofitting One-Stop Career Centers and purchasing appropriate software, hardware, furniture and supplies.

(b) Administration of the Unemployment Compensation (UC) law and its public employment service (ES) offices. This includes, but is not limited to, the following uses:

(i) ES and UI automation. This includes purchases, modifications, or automation of computer-related systems and related costs.

(ii) UI and ES Performance Improvement costs.

(iii) Fraud and Abuse Reduction costs.

(iv) UI Claims Filing and Payment Methods Improvement costs.

(v) Under the direction of the Bureau of Building, Grounds and Real Property Management to acquire lands and construct buildings thereon or improve existing buildings to be used as offices. The funds in this section are authorized for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

The funds authorized in this section shall be requisitioned by the Mississippi Department of Employment Security from the Unemployment Trust Fund maintained by the Secretary of the Treasury of the United States as needed for the payment of obligations incurred under this appropriation, and such monies

$33,047,000.00.
shall be deposited in the Employment Security Administration Fund in accordance with the provisions of Section 71-5-457, Mississippi Code of 1972.

SECTION 5. 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 6. Of the funds appropriated in this act, a sum not to exceed Two Hundred Thousand Dollars ($200,000.00) is made available for Pathways2Possibilities from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 7. 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 Office of Workforce Development for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

$ 15,800,000.00.

SECTION 8. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source
funds which are collected by or otherwise become available to the Office of Workforce Development for support of workforce programs, grants, and other similar activities for the fiscal year beginning July 1, 2023, and ending June 30, 2024.$ 18,400,000.00.

**SECTION 9.** Of the funds appropriated in Section 7, Three Million Two Hundred Thousand Dollars ($3,200,000.00) is authorized for defraying the operating expenses of the Office of Workforce Development.

**SECTION 10.** Of the funds appropriated in Section 7, Twelve Million Dollars ($12,000,000.00) is authorized for operating the Career Coaching Program at the Office of Workforce Development.

**SECTION 11.** Unless otherwise specifically appropriated for that purpose by the Legislature, none of the funds authorized in Section 8 of this act shall be used for operational expenditures of the Office of Workforce Development except for reasonable administrative fees for grant oversight as provided by law.

**SECTION 12.** Of the funds appropriated in Section 8 of this act, the Office of Workforce Development is authorized to expend up to Three Million Dollars ($3,000,000.00) from the State Workforce Investment Funds from the State Workforce Investment Board, collected pursuant to Section 71-5-353, Mississippi Code of 1972.

**SECTION 13.** Of the funds appropriated under the provisions of Section 8 of this act, the Office of Workforce Development is
authorized to expend up to Fifteen Million Dollars

($15,000,000.00) from the Mississippi Works Fund collected
pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 14. Of the funds appropriated in Section 1 of this
act, an amount not to exceed One Million Four Hundred Thousand
Dollars ($1,400,000.00) is authorized for the Mississippi
Integrated Education and Workforce State Longitudinal Data System
(SLDS).

SECTION 15. Of the funds appropriated under the provisions
of Section 2 of this act, Four Hundred Thousand Dollars
($400,000.00), or so much thereof, shall be derived out of any
money in the State Treasury to the credit of the Capital Expense
Fund, as created in Section 27-103-303, Mississippi Code of 1972,
and allocated in a manner as determined by the Treasurer's Office.
This appropriation is authorized for the Mississippi Integrated
Education and Workforce State Longitudinal Data System (SLDS).

SECTION 16. Of the funds appropriated under the provisions
of Section 7 of this act, Six Hundred Thousand Dollars
($600,000.00) is authorized for Jobs for Mississippi Graduates.

SECTION 17. Of the funds appropriated under the provisions
of Section 8 of this act, Four Hundred Thousand Dollars
($400,000.00), or so much thereof, shall be derived out of any
money in the State Treasury to the credit of the Capital Expense
Fund, as created in Section 27-103-303, Mississippi Code of 1972,
and allocated in a manner as determined by the Treasurer's Office. These funds are provided to the Skills Foundation of Mississippi.

SECTION 18. 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 19. 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 20. This act shall take effect and be in force from and after July 1, 2023.