



**THE MISSISSIPPI
ASSOCIATION OF
SUPERVISORS
2023 MID-WINTER
CONFERENCE**

Legislative Update

PRESENTED BY: STEVE GRAY



ORDER OF THE DAY

- Final recommendations from the Joint Legislative Budget Committee
- Active legislative measures impacting counties (MAS's Agenda)
- Active legislative measure impacting counties (Non-MAS Agenda)
- Actions needed and legislative forecasting
- Questions

JOINT LEGISLATIVE COMMITTEE BUDGET RECOMMENDATION

FY 2024 LBR Goals

- Maintain 2% Set-Aside in General Fund
- Strengthen State's Financial Reserves
- Build a Budget Using only Recurring Funds

JOINT LEGISLATIVE COMMITTEE BUDGET RECOMMENDATION

General Fund Revenue Estimate

- FY 2023 - \$6,987,400,000 (Sine Die)
- FY 2024 - \$7,523,800,000
 - Jointly Adopted by the Governor and the Joint Legislative Budget Committee
- FY 2024 Revenue Estimate is \$536.4M (7.7%) over the FY 2023 Sine Die Estimate

JOINT LEGISLATIVE COMMITTEE BUDGET RECOMMENDATION

General Fund Revenue and Budget Calculation for FY 2024

\$7,523,800,000
- 150,476,000
\$7,373,324,000
- 6,351,869,011
\$ 1,021,454,989

Revenue Estimate Jointly Adopted
2% Set-Aside in General Funds
Remaining 98% in General Funds
General Fund Budget Recommendation
Remaining Reserves for General Fund

JOINT LEGISLATIVE COMMITTEE BUDGET RECOMMENDATION

FY 2024
Increased
Funding

- State Agencies
 - Health Insurance Increase \$32.0M
- Child Protection Services
 - Foster Home and Adoption Payments \$12.3M
- Department of Public Safety
 - Forensics Lab \$2.4M
- Department of Revenue
 - Homestead Exemption Reimbursement \$1.4M

JOINT LEGISLATIVE COMMITTEE BUDGET RECOMMENDATION

State
Support
for 10
Largest
Budgets

	<u>LBR</u>
• MS Adequate Education	\$2,640.3M
• Medicaid	902.1M
• Debt Service	433.9M
• IHL – General Support	415.2M
• Corrections	363.3M
• Community College – Support	269.1M
• Mental Health	241.1M
• General Education	215.2M
• IHL – University Medical Center	190.5M
• Department of Public Safety	137.9M

JOINT LEGISLATIVE COMMITTEE BUDGET RECOMMENDATION

Available Unallocated Funds

• Capital Expense Fund	\$1,618.5M
• General Fund	1,021.4M
• Working Cash Stabilization Reserve Fund	579.4M
• Coronavirus State Fiscal Recovery Fund	298.1M
• 2% Set-Aside in General Fund	150.4M
• Gulf Coast Restoration Fund	124.2M
• Education Enhancement Fund	78.9M
• Health Care Expendable Fund	43.1M
• BP Settlement Fund	<u>12.3M</u>
• Total Available Unallocated Funds	<u>\$3,926.6M</u>



ACTIVE LEGISLATIVE ISSUES IMPACTING COUNTY GOVERNMENT

MAS LEGISLATIVE
AGENDA ITEMS &
OTHER ITEMS



ACTIVE LEGISLATIVE ISSUES

IMPACTING COUNTIES

- **Expending County Funds During The Last Six Months of the Term**

- **House Bill 626:** This measure authorizes the board of supervisors of any county to expend or contract an obligation against certain funds in the last six months of their term of office if a county has projects or a project funded by the American Rescue Plan Act (ARPA) so that such county may work towards completing such projects or project to meet the year 2026 federal ARPA spending deadline. (NOTE: (lines 33-34) There must be a unanimous vote of the board to execute this expenditure.)
 - This measure currently resides on the House Floor Calendar.

- **Fourth Round Funding for the Emergency Road and Bridge Repair Fund (ERBRF)**

- **House Bill 662 & Senate Bill 2480:** House Bill 662 provides funding through the State General Fund for the ERBRF Program at the amount of \$350 million, and Senate Bill 2480 provides funding through the State Capital Expense Fund for the ERBR Program at the amount of \$250 million. (NOTE: House Bill 662 is authored by the House Transportation Chairman Charles Busby and Senate Bill 2480 is authored by the Senate Transportation Chairlady Jenifer Branning.)
 - Currently no action is taken on this measures.

ACTIVE LEGISLATIVE ISSUES

IMPACTING COUNTIES (CONT'D)

- **The Mississippi Regional Pre-Need Disaster Clean Up Act**
 - **House Bill 858:** This measure authorizes the county board of supervisors of any county to enter into a joint bid agreements for disaster clean-up. This measure amends Mississippi Code 31-7-13 and Mississippi Code 17-13-11.
 - There are two (2) new sections created in this measure. There is a definitions and title section (Section 1) and an intent section (Section 2).
- **Section 1**
 - This section shall be known and may be cited as the “Mississippi Regional Pre-Need Disaster Clean Up Act.”
 - Disaster related - means arising out of a severe weather event or other emergency as declared by the Governor.
 - Pre–Need – means a contract entered into in advance of the need for the goods or services, such that the contracted entity is retained before the need for performance of the contract.
- **Section 2**
 - It is the intent and policy of the Mississippi Legislature that county boards be authorized to jointly contract for disaster-related solid waste collection, disposal, and monitoring so that the citizens of those counties will be quickly and adequately served as the communities recover from the disaster.

ACTIVE LEGISLATIVE ISSUES

IMPACTING COUNTIES (CONT'D)

- The Mississippi Regional Pre-Need Disaster Clean Up Act
- Section 3
 - NOTE: (A new paragraph is introduced that starts on line 960 – 994.)
 - New Paragraph Outline:
 - Two (2) or more county boards of supervisors or municipalities may contract by joint agreement for preneed purchase of labor, services, work, materials, equipment, supplies or other personal property for disaster-related solid waste collection, disposal or monitoring.
 - The joint counties or joint municipalities shall set forth the manner of awarding the contract
 - Such contracts may be entered into only for a maximum term of two (2) years and only after having solicited bids or proposals which shall be publicly advertised by posting on a webpage maintained by the Department of Finance and Administration through the submission of such advertisement to the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority.
 - The bid opening shall not occur until after the submission has been posted for at least (10) ten consecutive days.
 - The joint agreement may designate a joint purchasing or bidding agent.
 - Any joint agreement entered into under this new paragraph shall not be subject to the provisions of Section 17-13-11
- Section 4
 - Effectiveness: Upon passage (This measure currently resides on the House Floor Calendar)

ACTIVE LEGISLATIVE ISSUES

IMPACTING COUNTIES (CONT'D)

■ Removing Mandated Construction Permitting

- **House Bill 676:** This measure authorizes the counties to choose not to be subject to the provisions requiring that counties require permitting as a condition to construction within unincorporated areas.
 - **NOTE: Section 1** lines 137 – 141 state the following: The provisions of this subsection shall not apply to any county within sixty days after the effective date of this act by resolution duly adopted by the board of supervisors of the county and entered upon its minutes, chooses not to be subject to the provisions of this subsection.
 - **Effectiveness:** July 1, 2023 (Currently no action is taken on this measure)

■ Discretionary County Contribution

- **House Bill 856:** This measure authorizes the county board of supervisors of any county to donate funds to any designated community of the Mississippi Main Street Association. This measure amends Mississippi Code 19-5-93.
 - **NOTE: Section 1** lines 264 – 272 state that any designated community of the Mississippi Main Street Association that is in good standing and is located within the county, out of any funds in the county treasury provided that the cumulative sum of donation to all designated communities within the county does not exceed the amount generated in the county by one-fourth (1/4) mill on all of the taxable property within the county, during the fiscal year in which the donations are made. Nothing in this paragraph authorizes the imposition of additional tax.
 - **Effectiveness:** October 1, 2023 (This measure is double referred and has passed out of the House County Affairs Committee. It will now head to the House Appropriations Committee for consideration.)

OTHER ACTIVE LEGISLATIVE ISSUES IMPACTING COUNTIES

Campaign Finance

- House Bill 1 – Campaign finance reports; require candidates for county, county district and municipal offices to file with the Secretary of State.
- House Bill 2 – Campaign finance reports; shall be available on county and municipal websites.
- House Bill 36 – Campaign finance reports; require those filed by all candidates be available online.
- House Bill 241 – Campaign finance reports; revise the time for filing electronically

Taxes

- House Bill 462 – Sales tax; create diversion to counties.
- House Bill 545 – Use tax; require PEER to provide certain reporting concerning expenditures of tax by municipalities and counties.
- House Bill – 1052 Ad valorem tax levy for school districts; provide levying authority with discretion to approve request by school board.
- House Bill 1233 – Sales tax; increase diversion to municipalities and create diversion to counties.
- Senate Bill 2017 - Ad valorem tax; remove exemption for university or community college foundation or federally qualified health center property
- Senate Bill 2047 – Sales; create diversion to counties.
- Senate Bill 2026 – Ad valorem tax on inventory; phase in exemption for certain small businesses.

OTHER ACTIVE LEGISLATIVE ISSUES IMPACTING COUNTIES

Transportation/Vehicular

- House Bill 658 – Commercial driver’s license; exempt county-owned garbage trucks operators from requirements.
- House Bill 1003 – MS Fully Autonomous Vehicle Enabling (MS FAVE) Act of 2023, establish to regulate operation of autonomous vehicle on public roads..
- Senate Bill 2562 – Transportation; allow public private partnerships to establish electric vehicle charging stations.
- Senate Bill 2539 – All terrain vehicles and recreational off-highway vehicles; allow tagging for operation on certain roads.

Broadband

- House 1059 – Broadband equipment speed; increase to FCC requirement regarding ad valorem tax exemption..
- House Bill 1067 – Mississippi Broadband Accessibility Act; create.
- House Bill 127 – Bonds; create rural counties and municipalities cellular and broadband grant program and authorize issuance of bonds.
- House Bill 1059 – Broadband equipment speed; increase to FCC requirement regarding ad valorem tax exemption.

Transparency/Public Notices

- House 336 – MS Accountability and Transparency Act; revise to include certain counties and municipalities.
- House Bill 1067 – Mississippi Broadband Accessibility Act; create.
- Senate Bill 2515 – Counties and municipalities; modernize and simplify notice publication process for.



QUESTIONS