

2019 LEGISLATIVE SESSION RECAP

By: Steve Gray

ORDER OF BUSINESS

- MAS Proposals
- 2019 Legislative Items
- Looking Ahead to 2020
- Questions

2019 MAS LEGISLATIVE PROPOSALS

(Core Issues)

2019 LEGISLATIVE PROPOSALS



Infrastructure Funding (\$40 Million LSBP)

No Action Due to \$213 Million Grant & Last Session \$50 Million LSBP



Homestead Exemption Reimbursement (\$87.5 Million)

\$80.6 Million Achieved



Increased Revenue for E-911 Funding

No Action Taken



County Supervisors Salary Adjustment/Realignment

3% Increase with Study Committee Achieved



Rural Fire Truck Funding and Acquisition

\$3.5 Million with Another Round Acquisition Achieved



Beaver Control Assistance Program

\$1.1 Million Achieved

2019 LEGISLATIVE ITEMS

LEGISLATIVE TOPICS

General Bills

- Omnibus County Officials Pay Legislation (SB-2827)
- Emergency Road and Bridge Fund Legislation (HB-779)
- Debt Setoff Legislation (HB-991)
- Group Health Insurance Legislation (HB-1249)
- Tax Lien Properties Legislation (HB-1307)
- Rural Fire Truck Funding and Acquisition Legislation (HB-444)
- MS Broadband Enabling Act (HB-366)
- Criminal Justice Reform Act (HB-1352)

Revenue Bills

- Homestead Exemption Reimbursement Legislation (SB-3024)
- Beaver Control Assistance Program (SB-3043)
- Omnibus Bond Bill (SB-3065)

General Bill (Defense)

- First Responders Health & Safety Act of 2019 (SB-2835)

GENERAL BILLS

MS BROADBAND ENABLING ACT

- House Bill 366 is new law that creates the MS Broadband Enabling Act.
- Key Definition: Broadband Operator: A broadband operator is defined as a broadband service provider that owns or operates a broadband system on an electric cooperative's electric delivery system with the electric cooperative's (ECM) consent.
- Any ECM electric cooperative electing to operate under the provisions of this act must publish, by paid advertisement in a newspaper or newspapers of general circulation in the electric cooperative's certificated area.
- Became law upon passage

OMNIBUS COUNTY OFFICIAL PAY INCREASE

- Senate Bill 2827 was originally introduced with an across the board \$10k pay increase for all boards of supervisors.
- The legislation in its entirety remained intact until the filing of the first conference report.
 - The first conference report stripped the bill down to just a study taskforce. ALL PAY INCREASES WERE OMITTED.
- The second conference report became the final bill, with a 3% pay increase for county supervisors that will take effect January 1st 2020, and study taskforce shall take effect after passage into law.

OMNIBUS COUNTY OFFICIAL PAY INCREASE (CONT'D)

12 Member Taskforce

- MS Association of Supervisors
- MS Chancery Clerks Association
- MS Circuit Clerks Association
- MS Assessors and Collectors
- MS Coroners & Medical Examiners Association
- MS Constables Association
- MS Sheriffs Association
- MS Justice Court Judge Association
- Speaker of the MS House of Representative (will make appointments)
- Lieutenant Governor (will make appointments)


OMNIBUS COUNTY OFFICIAL PAY INCREASE (CONT'D)







- The Legislative appointment “shall” be made within thirty (30) days after the effective date of section 12 of this law. **NOTE:** Section 12 is effective upon passage.
- Within 15 days thereafter on a day to be designated jointly by the Speaker of the House of Representative and the Lieutenant Governor, the task force shall meet and organize by selecting from its membership a chair and vice chair.
- The majority of the members of the task force shall constitute a quorum.
- The task force shall make a report of its findings and recommendations to the Legislators by December 1, 2019, including any recommended legislation.

Mississippi Legislature
2014 Regular Session

House Bill 558

[House Calendar](#) | [Senate Calendar](#) | [Main Menu](#)
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Bill Text for All Versions 

-  |  *As Passed the House*
-  |  *Committee Substitute*
-  |  *As Introduced*

Description: Boards of supervisors; authorize to pay members of the board an annual salary supplement under certain conditions.

Fiscal Note: No fiscal note conducted

Background Information:

Disposition: **Dead**
Deadline: General Bill/Constitutional Amendment
Revenue: No
Vote type required: Majority
Effective date: July 1, 2014

History of Actions:

- 1 01/20 (H) Referred To County Affairs;Appropriations
- 2 01/30 (H) DR - TSDPCS: CA To AP
- 3 02/04 (H) DR - TSDPCS: AP To CA
- 4 02/04 (H) Title Suff Do Pass Comm Sub
- 5 02/12 (H) Read the Third Time
- 6 02/13 (H) Committee Substitute Adopted
- 7 02/13 (H) Amendment Failed
- 8 02/13 (H) Passed *{Vote}* **114 - 0**
- 9 02/17 (H) Transmitted To Senate
- 10 02/21 (S) Referred To Accountability, Efficiency, Transparency
- 11 03/04 (S) Title Suff Do Pass As Amended
- 12 03/12 (S) Amended
- 13 03/12 (S) Passed As Amended *{Vote}* **51 - 0**
- 14 03/13 (S) Returned For Concurrence
- 15 03/14 (H) Decline to Concur/Invite Conf
- 16 03/27 (H) Conferees Named Shows,Byrd,Barton
- 17 03/27 (S) Conferees Named Collins,Hale,Polk
- 18 03/31 (H) Died In Conference

2019 LEGISLATIVE SESSION

County officials' pay hike trimmed after outcry over amount given to teachers, state employees

BY **BOBBY HARRISON** | APRIL 17, 2019

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EMERGENCY ROAD AND BRIDGE FUNDING

- House Bill 779 was introduced to maximize ERBR funding and to temporarily remove certain statutory prohibitions.
- “To maximize all potential sources of funding including state and federal, for projects covered by the ERBR Program. Any available sources of funding may be combined to fund any project covered by the program. This includes state aid road funds and/or LSBP Fund, which may be used in conjunction with ERBR funds within the discretion of the State Aid Engineer.” (Lines 74 – 81)
- Projects of any type that receive monies from the LSBP Program, ERBR Program, 2018 Transportation and Infrastructure Improvement Fund, or the Gulf Coast Restoration Fund (BP Funds) may continue to be worked on until January 1st of 2020.
- Engineering contract shall also be awarded and extended beyond thirty (30) days from the termination and end of the term of office of the members of the boards of supervisors.

DEBT SETOFF

- House Bill 991 authorizes counties and municipalities to collect certain debts by setoff against a debtor's income tax refund.
- This law defines debt as any liquidated sum due and owing to any claimant local government which has accrued through contract, subrogation, tort, justice or municipal court conviction or any other debt regardless of whether there is an outstanding judgement for the sum.
- This law does establishes due process and a debtor can contest a proposed setoff.

COUNTY GROUP HEALTH INSURANCE

- House Bill 1249 allows counties to offer life and health insurance benefits to county employees and their dependents.
- The new language in the law states the following: “A county may provide group life insurance coverage for all or specified groups of its public employees and group hospitalization benefits for such public employees and their dependents, and the county may pay the total of the cost of all benefits under this section. A county may make such provision, as specified under this paragraph, retroactively for any existing group coverage plan previously adopted by the county.” (Lines 54 – 60)
- This law goes into effect upon passage.

TAX LIEN PROPERTIES

- House Bill 1307 addressed a growing trend as it related to land sold for nonpayment of ad valorem taxes. This measure closed a loop hole and now protects counties from lawsuits by tax lien purchasers.
- The new language in the law states the following: “No purchaser of land at any tax sale, or holder of the legal title under him by decent or distribution, shall have any right of action to challenge the validity of the tax sale.”
(Lines 30 – 32)
- This law goes into effect after July 1, 2019

RURAL FIRE TRUCK FUNDING & ACQUISITION

- House Bill 444 makes it two consecutive years of rural fire truck funding through the Mississippi Windstorm Underwriting Association non-admitted policy fee.
- This law states the following: “Beginning July 1, 2019 and ending on June 30, 2020, before any fees are remitted to the wind storm association, three million five hundred thousand dollars (\$3, 500, 000.00) shall be diverted and deposited into the Rural Fire Truck Fund.” (Lines 295 – 299)
- This law goes into effect after July 1, 2019.

CRIMINAL JUSTICE REFORM

- House Bill 1352 specifically targeted numerous aspect of the criminal justice system.
 - Transitioning of the Courts:
 - Drug courts work as an alternative to imprisonment for people with addiction issues who are facing criminal charges. They allow individual to receive treatment for their addiction issues while they're working in the community. Drug courts have proven successful at reducing crime and incarceration.
 - House Bill 1352 expands the concept of drug courts in Mississippi to include mental health courts, veteran courts, and other type of "Intervention Courts." Such courts would help facilitate programs that can help people with mental health issues receive treatment, or connect veterans with specialized care.
- Intervention Court Break Down:
 - Reclassifies drug courts as "intervention courts" to allow for mental health, veterans, and other types of intervention courts at the local level.
 - Updates the intervention court advisory committee to include guidance from other professional fields like mental health
 - Allows judges to waive intervention court participation fees for participants that are not able to pay
 - Allow intervention courts to use medication-assisted treatments for people with opioid use disorder
 - Requires that all eligible participants can apply for intervention courts

CRIMINAL JUSTICE REFORM (CONT'D)

- Drivers Licenses:

- Currently, Mississippians can lose their drivers licenses for low-level drug offenses, even if it was completely unrelated to driving. This requirement was instituted by all state in the 1990s, but since many state have ended the practice because it can be counterproductive. In a rural stat like Mississippi, not having a driver's license can make it nearly impossible to legally get to work.
- House Bill 1352 ends driver's license suspensions for drug offenses that are unrelated to driving. It also prevents license suspensions for non-payment of fees or fines.

- Expungement:

- Mississippi currently has an expungement law which allows people with a criminal convection in their past to apply to have the record "expunged." The process has many requirements. An individual is only eligible five years after the completion of their prison sentence, as well as all parole and probation requirements. Currently, only six offenses are eligible to be expunged
- House Bill 1352 expands expungement eligibility by allow more people to apply. Violent offenses and sex offenses excluded, along with a few other offenses like embezzlement. The changes in the bill still require the approval of a judge to expunge the record. An individual is only eligible for one expungement, although it can apply to several offenses if an individual has multiple offenses tied to one event.

REVENUE BILLS

HOMESTEAD EXEMPTION REIMBURSEMENT

- Senate Bill 3024 provided level funding for the homestead exemption reimbursement from the previous session.
- Funding level is set at: \$80,625,992.00

BEAVER CONTROL ASSISTANCE PROGRAM (BCAP)

- Senate Bill 3043 provided level funding for the BCAP Program from the previous session.
- Funding level is set at: \$1,100,000.00

OMNIBUS BOND BILL

- Senate Bill 3065 provided bond financing for various programs and projects
- Mississippi counties benefited from the following:
 - **Limited Population Counties Small Municipalities Grant Fund: \$5,000,000.00** (*This program is administered through the MS Development Authority (MDA) and it provides funds for publicly owned infrastructure for community-based projects and assist counties with public facilities and infrastructure needs.*)
 - **Community Heritage Preservation Grant Program: \$5,000,000.00** (*This program is administered through the MS Dept. Of Archive & History. This program can provide funding for the restoration of county courthouses.*)
 - **Local Government & Rural Water Systems Improvement Revolving Loan and Grant Fund: \$1,000,000.00** (*This program is administered through the MS Department of Health to help properly maintain local water systems across the state.*)
 -

GENERAL BILL (DEFENSE)

THE FIRST RESPONDERS HEALTH AND SAFETY ACT

- Senate Bill 2835 mandates counties and municipalities to provide insurance coverage for first responders.
 - First Responders are defined as Firefighters & Law Enforcement Officers: **Firefighters:** Employed by the State of Mississippi or any political subdivision on full-time duty status or register with the State of Mississippi or a political subdivision on a volunteer firefighting status; **Law Enforcement Officer:** Law enforcement officer who has been certified by the MS Board on Law Enforcement Officer Standards and Training.
 - Effective date is July 1st 2021.
 - Counties and municipalities must disclose policies to the Attorney General no later than January 1st 2022.
 - Policy coverage is limited to three cancer types: Carcinoma, Malignant, and Metastasis.
 - Eligible first responders must have at least 10 years of experience.
 - Eligible first responders must be diagnosed by a board-certified physician in the medical specialty appropriate for the type of cancer diagnosed that the cancer was caused by an occupational hazard.

LOOKING AHEAD TO 2020

RESULTS FROM THE COMPENSATION/FEE STUDY TASKFORCE

- Task force shall make a report of its finding and recommendations to the Legislature by December 1st 2019, including any recommend legislation

INFRASTRUCTURE FUNDING

- There are talks of a strong push towards increasing the gas tax.
- Maybe consideration for another round of ERBR Funds.
- Use Tax Diversion will be activated
- Push for LSBP Funding

INFRASTRUCTURE (CONT'D)

STATEMENT II GENERAL FUND REVENUE ESTIMATE FOR FISCAL YEAR 2020 COMPARED TO FISCAL YEAR 2019 SINE DIE ESTIMATE

	<u>FY 2018 Collections*</u>	<u>FY 2019 Sine Die Estimate**</u>	<u>FY 2020 Estimate***</u>	<u>FY 2020 Estimate Over FY 2019</u>	<u>% Increase Over FY 2019</u>
<u>Department of Revenue Collections</u>					
Sales Tax	\$2,082,929,711	\$2,111,000,000	\$2,185,000,000	\$74,000,000	3.51%
Individual Income Tax	1,826,570,133	1,853,400,000	1,900,000,000	46,600,000	2.51%
Corp. Inc. & Franchise Tax	572,298,842	531,000,000	517,500,000	-13,500,000	-2.54%
Use Tax	257,512,275	264,000,000	292,200,000	28,200,000	10.68%

EMERGENCY 911

- Continued push for E-911 Funds
- Those in new leadership roles may bring new opportunity
- Continue to consider changing the formula distribution of “wireless” E-911 funding to counties
- Continue to consider increasing the surcharge for E-911 funding

HOMESTEAD EXEMPTION REIMBURSEMENT

- With the state's portion of the use tax increasing, and sales tax collection increasing as well, MAS must continue to make a hard push towards “fully” funding the homestead exemption reimbursement.

PUBLIC EMPLOYEE RETIREMENT SYSTEM (PERS)

- On June 26, 2018, the PERS board voted to increase the “employer” contribution rate from 15.75% to 17.40%. Public entities would have to foot the bill.
- During the 2019 regular session, the Legislature added an additional funding (\$62 million) to the retirement fund to prevent legislation requiring an increased employee contribution. Currently, the employee contribution is at 9%.
- The PERS System is something that MAS will have to closely monitor.

QUESTIONS