

By: Representatives Currie, Frierson, Hines

To: Appropriations

HOUSE BILL NO. 677
(As Sent to Governor)

1 AN ACT TO CREATE A NEW CODE SECTION, SECTION 27-103-159,
2 MISSISSIPPI CODE OF 1972, TO REQUIRE THE LEGISLATIVE BUDGET
3 OFFICE, THE PEER COMMITTEE STAFF, THE DEPARTMENT OF CORRECTIONS,
4 THE DEPARTMENT OF EDUCATION, THE DEPARTMENT OF HEALTH, AND THE
5 DEPARTMENT OF TRANSPORTATION TO DEVELOP AND RECOMMEND TO THE
6 LEGISLATIVE BUDGET COMMITTEE AN INVENTORY OF PROGRAMS AND
7 ACTIVITIES FOR THE DEPARTMENTS SET OUT HEREIN; TO REQUIRE THE
8 LEGISLATIVE BUDGET OFFICE TO RECOMMEND TO THE LEGISLATIVE BUDGET
9 COMMITTEE METHODS FOR INCORPORATING THESE CATALOGUES OF PROGRAMS
10 INTO THE LEGISLATIVE BUDGET RECOMMENDATIONS AND APPROPRIATIONS
11 PROCESS FOR FY2017; TO REQUIRE THAT THE LEGISLATIVE BUDGET
12 COMMITTEE RECOMMEND TO THE LEGISLATURE BY THE 2019 REGULAR SESSION
13 A PLAN FOR REQUIRING ALL STATE AGENCIES TO COMPLY WITH THE
14 REQUIREMENTS OF THIS ACT; TO AMEND SECTIONS 27-103-153 AND
15 27-103-155, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT
16 THAT THE DEPARTMENT OF CORRECTIONS, THE DEPARTMENT OF EDUCATION,
17 THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF TRANSPORTATION
18 COMPLY WITH CERTAIN REQUIREMENTS OF THE MISSISSIPPI PERFORMANCE
19 BUDGET AND STRATEGIC PLANNING ACT OF 1994; AND FOR RELATED
20 PURPOSES.

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

22 **SECTION 1.** The following shall be codified as Section
23 27-103-159, Mississippi Code of 1972:

24 27-103-159. (1) For purposes of this section, the following
25 terms shall have the following meanings ascribed to them:

26 (a) "Evidence-based program" shall mean a program or
27 practice that has had multiple site random controlled trials



28 across heterogeneous populations demonstrating that the program or
29 practice is effective for the population.

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

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

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

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

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

45 (2) Beginning with the fiscal year 2016 budget cycle, the
46 Legislative Budget Office shall require the Department of
47 Corrections, the Department of Health, the Department of
48 Education, and the Department of Transportation to comply with the
49 requirements of this section respecting the inventorying of agency
50 programs and activities for use in the budgeting process. The
51 aforementioned agencies shall submit all program information to
52 the Legislative Budget Office in accordance with any policies



53 established by that office setting out requirements for any
54 filings required under this act.

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

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

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

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

72 (d) Establish a procedure for base-lining programs
73 which are built around promising practices or other programs that
74 do not meet the definition of evidence-based or research-based
75 programs, so that further research can be conducted to gauge the
76 program's effectiveness;



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

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

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

92 (5) Beginning in the fiscal year 2017 budget cycle, the
93 Department of Corrections, the Department of Education, the
94 Department of Health and the Department of Transportation may be
95 exempted from the requirement to prepare any information required
96 by Section 27-103-153 and Section 27-103-155, Mississippi Code of
97 1972, except for the strategic planning requirements of Section
98 27-103-155.

99 (6) The Legislative Budget Committee shall, no later than
100 the 2019 Regular Session of the Legislature, make a recommendation



101 to the Legislature regarding the application of the processes and
102 requirements of this section to all agencies of state government.

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

105 27-103-153. (1) Beginning with the 1996 fiscal year, the
106 appropriation bills enacted to provide funding for each state
107 agency or institution shall include performance targets for each
108 performance measure established for each program within each such
109 agency. Said performance targets shall be established annually by
110 the Legislature and shall be based upon the funding level
111 authorized for each agency within its appropriation bill. The
112 Department of Finance and Administration shall provide accounting
113 system services to each agency to allow both program expenditures
114 and performance measurement data to be maintained and reported in
115 such form and in such detail as may be required by the Joint
116 Legislative Budget Committee.

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

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

123 27-103-155. (1) Beginning with the 1995 fiscal year, the
124 Legislature shall make available funds for the employment of such
125 persons as may be required to conduct an evaluation of the actual



126 performance accomplishments of each agency and its programs in
127 comparison to the targeted performance levels established within
128 the appropriation bill for each agency and its programs. The
129 results of such evaluations shall be prepared in such form and in
130 such detail as may be required by the Joint Legislative Budget
131 Committee. Beginning with the 1996 fiscal year, the Legislative
132 Budget Office and the Department of Finance and Administration
133 shall review the five-year strategic plans submitted by each
134 agency as an addendum to its budget request and shall make copies
135 of said plans available to the Legislature for review and
136 consideration.

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

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

