

By: Capps

To: Appropriations

HOUSE BILL NO. 1045

1 AN ACT TO AMEND SECTION 7-7-40, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE STATE FISCAL OFFICER TO APPROVE ESCALATIONS IN
3 AGENCY BUDGETS USING INSURANCE PROCEEDS AS A RESULT OF DAMAGE TO
4 STATE PROPERTY; TO AMEND SECTION 7-7-41, MISSISSIPPI CODE OF 1972,
5 TO AUTHORIZE THE STATE FISCAL OFFICER TO PROMULGATE REGULATIONS
6 AND PROCEDURES REGARDING THE POSTAUDITING OF CLAIMS AND THE
7 ISSUANCE OF WARRANTS AND OTHER FORMS OF PAYMENTS FOR ALL STATE
8 AGENCIES, DEPARTMENTS AND INSTITUTIONS; AND FOR RELATED PURPOSES.

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

10 SECTION 1. Section 7-7-40, Mississippi Code of 1972, is
11 amended as follows:[RF1]

12 7-7-40. The State Fiscal Officer shall have the authority to
13 approve escalations in a budget using special funds pursuant to
14 specific authorization stated in an appropriation bill. Upon
15 written documentation submitted by an agency head, the State
16 Fiscal Officer shall also have the authority to approve
17 escalations to a budget using donated or endowment funds
18 designated for a specific purpose and using insurance proceeds as
19 a result of damage to state property. Such escalations may not
20 exceed the amount of such donated or endowment funds or insurance
21 proceeds.

22 SECTION 2. Section 7-7-41, Mississippi Code of 1972, is
23 amended as follows:[RF2]

24 7-7-41. The State Fiscal Officer may promulgate such
25 regulations and procedures as he may deem necessary in regard to
26 preauditing and postauditing claims and issuing warrants covering
27 payments for construction contracts entered into by the
28 Mississippi Department of Transportation, the Department of
29 Finance and Administration, the State Department of Education, or

30 by any other agency now existing or hereafter created, having
31 control and supervision of the awarding and payment of
32 construction contracts.

33 The State Fiscal Officer shall * * * prescribe rules and
34 regulations concerning the preauditing and postauditing of claims
35 and the issuance of warrants and other forms of payments for all
36 departments, institutions and agencies of the state, more
37 particularly those coming within the provisions of Sections 7-9-41
38 and 7-9-43, after full discussion with the fiscal officers
39 thereof, to the end that the most efficient overall state
40 accounting system may be maintained. Such regulations, however,
41 shall be of such nature and application that the State Fiscal
42 Officer shall be able to maintain adequate records in his books of
43 accounts of all fiscal operations of the state, and in no event
44 shall the regular audit of the transactions of such departments,
45 institutions and agencies by the State Department of Audit be
46 suspended.

47 SECTION 3. This act shall take effect and be in force from
48 and after July 1, 2000.