To: Appropriations

MISSISSIPPI LEGISLATURE  
By: Representative Holloway  
REGULAR SESSION 2001

HOUSE BILL NO. 13

AN ACT TO PROVIDE THAT WHENEVER THE LEGISLATURE AUTHORIZES SALARY INCREASES FOR EMPLOYEES OF STATE AGENCIES, COMMUNITY AND JUNIOR COLLEGES AND STATE INSTITUTIONS OF HIGHER LEARNING, THE SALARY INCREASES MUST BE AWARDED IN STRICT COMPLIANCE WITH THE LEGISLATIVE INTENT EXPRESSED AND ANY FORMULA SPECIFIED IN THE RESPECTIVE APPROPRIATION BILLS; TO REQUIRE THE EXECUTIVE HEAD OF EACH AGENCY, COMMUNITY OR JUNIOR COLLEGE AND STATE INSTITUTION OF HIGHER LEARNING TO VERIFY THAT THE SALARY INCREASES ARE AWARDED CONSISTENT WITH LEGISLATIVE INTENT; TO PROVIDE THAT THE HEAD OF ANY STATE AGENCY, COLLEGE OR INSTITUTION WHO EXPENDS FUNDS IN VIOLATION OF THE PROVISIONS OF THIS ACT SHALL BE PERSONALLY LIABLE TO THE STATE FOR THE AMOUNT OF MONEY IMPROPERLY EXPENDED; TO PROHIBIT THE STATE FISCAL OFFICER FROM ISSUING ANY WARRANTS THAT WOULD AUTHORIZE ANY STATE AGENCY, COMMUNITY OR JUNIOR COLLEGE OR STATE INSTITUTION OF HIGHER LEARNING TO EXPEND ANY MONEY IN VIOLATION OF THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) Whenever the Legislature authorizes salary increases for the employees of any state agency, community or junior college or state institution of higher learning in an appropriation bill, the executive head of the agency, college or institution shall provide the salary increases to the employees in strict compliance with the legislative intent expressed and any formula specified in the appropriation bill. If the Legislature provides for across-the-board salary increases for the employees of a state agency, community or junior college or state institution of higher learning in an appropriation bill, and the bill specifies that the salary increases are to be the same amount for each employee, the money allocated in the appropriation bill for across-the-board salary increases may not be used by the agency, college or institution to provide salary increases in different amounts for different employees.

(2) Before July 1 of any fiscal year for which the Legislature has authorized salary increases for the employees of

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any state agency, community or junior college or state institution of higher learning in an appropriation bill, the employee of the agency, college or institution responsible for awarding the raises shall compile a roster of all employees entitled to receive the raise, as directed in the respective appropriation bill. The roster must include each employee's salary before the increase is awarded and the employee's new salary effective on July 1 when the increase is awarded. The roster shall be submitted to the executive head of the agency, college or institution, who shall be responsible for verifying that each employee has been awarded the salary increase provided in the applicable appropriation bill in strict compliance with the legislative intent expressed and any formula specified in the appropriation bill.

(3) If the executive head or other employee of a state agency, community or junior college or state institution of higher learning authorizes or allows any of the money allocated in the appropriation bill for salary increases for employees of the agency, college or institution to be used or expended in any manner that is not in strict compliance with the legislative intent expressed and any formula specified in the appropriation bill or which is otherwise in violation of this section, the executive head or other employee shall be personally liable to the State of Mississippi for the amount of money so authorized or allowed to be improperly used or expended.

(4) The State Fiscal Officer shall not issue any warrant authorizing any of the money allocated in an appropriation bill for salary increases for employees of a state agency, community or junior college or state institution of higher learning to be used or expended in any manner that is not in strict compliance with the legislative intent expressed and any formula specified in the appropriation bill or which is otherwise in violation of this section.
SECTION 2. This act shall take effect and be in force from and after July 1, 2001.