HOUSE BILL NO. 34

AN ACT TO AMEND SECTION 7-9-41, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE FISCAL OFFICER TO APPROVE OR DISAPPROVE THE WITHDRAWAL OF FUNDS FROM THE STATE TREASURY BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 7-9-41, Mississippi Code of 1972, is amended as follows:

7-9-41. (1) All support and maintenance funds appropriated for the operating expenses of all departments, institutions, agencies, boards and commissions, supported wholly or in part by the state, shall be drawn from the State Treasury only upon the issuance of individual warrants by the State Fiscal Officer in direct payment for goods sold or services performed, except where specifically provided otherwise in these statutes. The State Fiscal Officer shall issue his warrants only upon requisitions signed by the proper person, officer or officers.

(2) The State Fiscal Officer shall approve or disapprove the withdrawal of funds from the State Treasury by the Board of Trustees of State Institutions of Higher Learning. For the purposes of this section, the central board offices, including system administration, the University Research Center, the Mississippi Automated Resource Information System and Student Financial Aid, shall not be considered "institutions" and shall not be eligible to make lump-sum withdrawals from the Treasury.

The executive heads, together with the secretary or other person in charge of the books and accounts, of the state institutions of higher learning, if they receive such written
approval, shall make up, in the form prescribed by the State Fiscal Officer and the State Treasurer, checklists of all salaries, accounts, bills, contracts and claims which shall have accrued during the month. Based upon such statement and in company with it, the state institutions of higher learning, through their proper officers, shall make requisition upon the State Fiscal Officer for only so much money as shall then be needed to pay salaries, accounts, bills, contracts and claims which may then be due, together with a reasonable amount for contingent expenses.

Such requisitions may be drawn upon the State Fiscal Officer's accounts, who shall draw its warrants on the Treasurer from time to time as required, payable to the official depository provided in Section 7-9-43. In the case of special appropriations made for buildings and permanent improvements, repairs, furniture, fixtures, and special supplies, and in all cases where it is not practicable to furnish a detailed statement, such funds may be drawn in installments at such times and in such amounts as necessity may require, and the requisitions for same must be accompanied by a general statement of the proposed purchases and expenditures.

In all cases where such lump-sum payments are authorized and paid as provided in this section, the proper officer or officers of the state institutions of higher learning shall make such additional reports to the State Fiscal Officer in the manner and at such times as he may require. Such reports shall also include other funds coming into the possession of or for the use and benefit of the state institutions of higher learning, whether such funds are regularly handled through the State Treasury or not.

(3) In the case of the State Board of Human Services, lump-sum withdrawals may only be made as provided for in subsection (2) of this section for payments to recipients of services provided by the department.
SECTION 2. This act shall take effect and be in force from and after July 1, 2001.