To: Appropriations

MISSISSIPPI LEGISLATURE                        REGULAR SESSION 2001
By: Representative Capps

HOUSE BILL NO. 1412

AN ACT TO AMEND SECTION 27-104-17 FOR THE PURPOSE OF PROVIDING AGENCY HEADS AUTHORITY TO INCREASE MAJOR OBJECTS OF EXPENDITURE WITHIN SPECIFIC BUDGETS PROVIDED THAT OTHER MAJOR OBJECTS OF EXPENDITURE ARE DECREASED BY A CORRESPONDING DOLLAR AMOUNT; TO APPLY TO APPROPRIATIONS AND EXPENDITURES FOR FISCAL YEAR 2001; TO STAND REPEALED AFTER AUGUST 31, 2001; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 27-104-17, Mississippi Code of 1972, is amended as follows:

27-104-17. (1) An allotment period shall be one-half (1/2) of twelve (12) months, and expenditure one-half (1/2) of the appropriated amount, unless otherwise specified in the appropriation bill or justified by the agency to the Department of Finance and Administration, and the first allotment period shall commence on July 1. Estimates shall be filed with the Department of Finance and Administration not later than the first day of the month preceding the beginning period.

Provided further, that the Department of Finance and Administration may, in its discretion, restrict an agency to monthly allotment periods when it becomes evident that an agency's rate of expenditure to date indicates this restriction will be necessary to prevent depletion of its appropriation prior to the close of the fiscal year or when the condition of the State General Fund requires monthly monitoring and control of the rate of General Fund expenditures.

(2) Unless otherwise specified in the agency appropriation bill, in the event any emergency or unforeseen circumstances shall
arise, the agency head may authorize increases in major objects of
expenditure within each specific budget within each appropriation
bill in total amounts not to exceed ten percent (10%) of the
appropriated amount of each object, provided that other major
objects of expenditure are decreased by a corresponding dollar
amount. No transfers shall be authorized which increase or
decrease the major object of expenditure "Salaries, Wages and
Fringe Benefits," or which increase the major object of
expenditure "Capital Outlay - Equipment." The agency head shall
submit written justification for the transfer to the Legislative
Budget Office, the Department of Finance and Administration, and
the State Auditor, on or before the fifteenth of the month prior
to the effective date of the transfer. The transfer shall be
effective the first working day of the month following timely
submissions required herein. In cases of extreme hardship,
certified in writing by the agency head and submitted with timely
submissions required herein, the Executive Director of the
Department of Finance and Administration, in his discretion, may
authorize an earlier effective date for the transfer.

(3) Agency heads may authorize increases in major objects of
expenditure within each specific budget within each appropriation
bill in total amounts provided that other major objects of
expenditure are decreased by a corresponding dollar amount. The
agency head shall submit written justification for the transfer to
the Legislative Budget Office, the Department of Finance and
Administration, and the State Auditor. This paragraph (3) shall
apply only to appropriations and expenditures for Fiscal Year 2001
and shall stand repealed after August 31, 2001.

SECTION 2. This act shall take effect and be in force from
and after its passage.