

By: Representative Capps

To: Appropriations

HOUSE BILL NO. 1412

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 6 YEAR 2001; TO STAND REPEALED AFTER AUGUST 31, 2001; AND FOR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

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

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

11 27-104-17. (1) An allotment period shall be one-half (1/2)
 12 of twelve (12) months, and expenditure one-half (1/2) of the
 13 appropriated amount, unless otherwise specified in the
 14 appropriation bill or justified by the agency to the Department of
 15 Finance and Administration, and the first allotment period shall
 16 commence on July 1. Estimates shall be filed with the Department
 17 of Finance and Administration not later than the first day of the
 18 month preceding the beginning period.

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

27 (2) Unless otherwise specified in the agency appropriation
 28 bill, in the event any emergency or unforeseen circumstances shall

29 arise, the agency head may authorize increases in major objects of
30 expenditure within each specific budget within each appropriation
31 bill in total amounts not to exceed ten percent (10%) of the
32 appropriated amount of each object, provided that other major
33 objects of expenditure are decreased by a corresponding dollar
34 amount. No transfers shall be authorized which increase or
35 decrease the major object of expenditure "Salaries, Wages and
36 Fringe Benefits," or which increase the major object of
37 expenditure "Capital Outlay - Equipment." The agency head shall
38 submit written justification for the transfer to the Legislative
39 Budget Office, the Department of Finance and Administration, and
40 the State Auditor, on or before the fifteenth of the month prior
41 to the effective date of the transfer. The transfer shall be
42 effective the first working day of the month following timely
43 submissions required herein. In cases of extreme hardship,
44 certified in writing by the agency head and submitted with timely
45 submissions required herein, the Executive Director of the
46 Department of Finance and Administration, in his discretion, may
47 authorize an earlier effective date for the transfer.

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

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