HOUSE BILL NO. 1468

1 AN ACT TO AMEND SECTIONS 27-103-113 AND 27-103-139,
2 MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT THE
3 LEGISLATIVE AND EXECUTIVE BUDGET RECOMMENDATIONS BE PUBLISHED
4 TOGETHER IN ONE REPORT; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 27-103-113, Mississippi Code of 1972, is
amended as follows:

27-103-113. It shall be the duty of the Legislative Budget
Office to prepare an overall balanced budget of the entire
expenses and income of the state for each fiscal year, which
budget shall encompass the operations of all general-fund agencies
and all special-fund agencies and the Mississippi Department of
Transportation and the Division of State Aid Road Construction of
the Mississippi Department of Transportation. Beginning with the
1996 fiscal year, such budget shall be prepared in a format which
will include performance measurement data associated with the
various programs operated by each agency. Said overall budget
shall be completed prior to December 15 before the convening of
the Legislature at the regular session. * * *

SECTION 2. Section 27-103-139, Mississippi Code of 1972, is
amended as follows:

27-103-139. On or before November 15 preceding each regular
session of the Legislature, except the first regular session of a
new term of office, the Governor shall submit to the members of
the Legislature, the Legislative Budget Office or the
members-elect, as the case may be, and to the executive head of
each state agency a balanced budget for the succeeding fiscal

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year. Beginning with the 1996 fiscal year, the budget submitted shall be prepared in a format which will include performance measurement data associated with the various programs operated by each agency. The total proposed expenditures in the balanced budget shall not exceed the amount of estimated revenues that will be available for appropriation or use during the succeeding fiscal year, including any balances that will be on hand at the close of the then current fiscal year, as determined by the revenue estimate jointly adopted by the Governor and the Legislative Budget Committee. Beginning with the budget for Fiscal Year 1994, the total proposed expenditures from the General Fund in the balanced budget shall not exceed ninety-eight percent (98%) of the amount of General Fund revenue estimate for the succeeding fiscal year, plus any unencumbered balances in general funds that will be available and on hand at the close of the then current fiscal year. The General Fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee. Unencumbered balances in general funds that will be available and on hand at the close of the fiscal year shall not include projected amounts required to be deposited into the Working Cash-Stabilization Reserve Fund and the Education Enhancement Fund pursuant to Section 27-103-203.

The revenues used in preparing the balanced budget shall be only those revenues that will be available under the general laws of the state as they exist when the balanced budget is prepared, and shall not include any proposed revenues that would become available only after the enactment of new legislation. If the Governor has any recommendations for additional proposed expenditures or proposed revenues that are not included in his balanced budget, he shall submit those recommendations in a supplement that is separate from his balanced budget, and whenever the Governor recommends any such additional proposed expenditures, he also shall recommend proposed revenues that are sufficient to
fund the additional proposed expenditures, providing specific
details regarding the sources and the total amount of those
proposed revenues.

The Governor may employ a budget officer for the purpose of
receiving information from the State Fiscal Officer and preparing
his recommendations on the budget. In the event the Governor
determines that information received from the State Fiscal Officer
is not sufficient to enable him to prepare his budget
recommendations, he may request an appropriation from the
Legislature to provide additional staff within the Governor's
Office for such purpose. At the first regular session after his
election for Governor, the Governor shall submit any budget
recommendations plus the required revenue source recommendations
no later than January 31 of such year. * * *

SECTION 3. This act shall take effect and be in force from
and after its passage.