

By: Senator(s) Smith

To: Appropriations

SENATE BILL NO. 2257

1 AN ACT TO AMEND SECTIONS 27-103-211 AND 31-17-123,  
2 MISSISSIPPI CODE OF 1972, TO REQUIRE THE GENERAL FUND REVENUE  
3 ESTIMATE UPON WHICH APPROPRIATIONS ARE BASED TO BE ADOPTED BY THE  
4 JOINT LEGISLATIVE BUDGET COMMITTEE AS OF THE FIRST MONDAY IN  
5 MARCH; AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 27-103-211, Mississippi Code of 1972, is  
8 amended as follows:

9 27-103-211. Beginning with the appropriations for fiscal  
10 year 2002, the total sum appropriated by the Legislature from the  
11 State General Fund for any fiscal year shall not exceed  
12 ninety-eight percent (98%) of the General Fund revenue estimate  
13 for that fiscal year developed by the Tax Commission and the  
14 University Research Center and adopted by the Joint Legislative  
15 Budget Committee as of the first Monday in March, plus any  
16 unencumbered balances in general funds that will be available and  
17 on hand at the close of the then current fiscal year. The  
18 unencumbered balances in general funds that will be available and  
19 on hand at the close of the fiscal year shall not include  
20 projected amounts required to be deposited into the Working  
21 Cash-Stabilization Reserve Fund or the Education Enhancement Fund  
22 pursuant to Section 27-103-203(1).

23 SECTION 2. Section 31-17-123, Mississippi Code of 1972, is  
24 amended as follows:

25 31-17-123. The intent of the Legislature is to authorize  
26 borrowing funds under the provisions of Sections 31-17-101 through  
27 31-17-123 to offset any temporary cash flow deficiencies and  
28 should not be construed to authorize the borrowing of any funds in



29 an amount which cannot be repaid during the fiscal year in which  
30 such funds are borrowed. The State Tax Commission and University  
31 Research Center, utilizing all available revenue forecast data,  
32 shall annually develop a general fund revenue estimate to be  
33 adopted by the Joint Legislative Budget Committee as of the first  
34 Monday in March. If, at the end of October, or at the end of any  
35 month thereafter of any fiscal year, the revenues received for the  
36 fiscal year shall fall below ninety-eight percent (98%) of the  
37 Joint Legislative Budget Committee General Fund revenue estimate  
38 as of the first Monday in March, the State Fiscal Officer shall  
39 reduce allocations of general funds and state-source special funds  
40 to general fund and special fund agencies and to the  
41 "administration and other expenses" budget of the State Highway  
42 Department in an amount necessary to keep expenditures within the  
43 sum of actual general fund receipts including any transfers to the  
44 General Fund from the Working Cash-Stabilization Reserve Fund for  
45 the fiscal year. The State Fiscal Officer may, upon his  
46 determination of need based on the revenue shortfall, transfer  
47 funds as provided in Section 27-103-203, from the Working  
48 Cash-Stabilization Reserve Fund to the General Fund to supplement  
49 the general fund revenue. State-source special funds in an amount  
50 equal to any reduction made under the provisions of this section  
51 shall be transferred to the State General Fund upon requisitions  
52 for warrants signed by the respective agency head and such  
53 transfer shall be made within a reasonable period to be determined  
54 by the State Fiscal Officer. No agency's allocation shall be  
55 reduced in an amount to exceed five percent (5%); however, in the  
56 event that the allocations of general funds and state-source  
57 special funds to all general fund and special fund agencies and to  
58 the "administration and other expenses" budget of the State  
59 Highway Department have been reduced by five percent (5%), any  
60 additional reductions required to be made hereunder shall consist  
61 of a uniform percentage reduction of general funds and



62 state-source special funds to all general fund and special fund  
63 agencies, and to the "administration and other expenses" budget of  
64 the State Highway Department. Any receipt from loans authorized  
65 by Sections 31-17-101 through 31-17-123 shall not be included as  
66 revenue receipts. The State Fiscal Officer shall immediately send  
67 notice of any action taken under authority of this section to the  
68 Legislative Budget Office.

69 For the purpose of this section, "state-source special funds"  
70 shall be construed to mean any special funds in any agency derived  
71 from any source, but shall not include the following special  
72 funds: special funds derived from federal sources, from local or  
73 regional political subdivisions, or from donations; special funds  
74 held in a fiduciary capacity for the benefit of specific persons  
75 or classes of persons; self-generated special funds of the state  
76 institutions of higher learning or the state junior colleges;  
77 special funds of Mississippi Industries for the Blind, the State  
78 Port at Gulfport, Yellow Creek Inland Port, Pat Harrison Waterway  
79 District, Pearl River Basin Development District, Pearl River  
80 Valley Water Management District, Tombigbee River Valley Water  
81 Management District, Yellow Creek Watershed Authority, or Coast  
82 Coliseum Commission; special funds of the Department of Wildlife,  
83 Fisheries and Parks derived from the issuance of hunting or  
84 fishing licenses; and special funds generated by agencies whose  
85 primary function includes the establishment of standards and the  
86 issuance of licenses for the practice of a profession within the  
87 State of Mississippi.

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

