

By: Senator(s) Gordon

To: Appropriations

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2919

1 AN ACT TO AMEND SECTION 27-104-17, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE AGENCY HEADS TO INCREASE AND DECREASE MAJOR OBJECTS
3 OF EXPENDITURE WITHIN SPECIFIC BUDGET TOTALS FOR THE REMAINDER OF
4 FISCAL YEAR 2001; AND FOR RELATED PURPOSES.

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

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

8 **[Until August 31, 2001, this section shall read as follows:]**

9 27-104-17. (1) An allotment period shall be one-half (1/2)
10 of twelve (12) months, and expenditure one-half (1/2) of the
11 appropriated amount, unless otherwise specified in the
12 appropriation bill or justified by the agency to the Department of
13 Finance and Administration, and the first allotment period shall
14 commence on July 1. Estimates shall be filed with the Department
15 of Finance and Administration not later than the first day of the
16 month preceding the beginning period.

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

25 (2) Unless otherwise specified in the agency appropriation
26 bill, in the event any emergency or unforeseen circumstances shall
27 arise, the agency head may authorize increases in major objects of
28 expenditure within each specific budget within each appropriation



29 bill in total amounts not to exceed fifteen percent (15%) of the
30 appropriated amount of each object, provided that other major
31 objects of expenditure are decreased by a corresponding dollar
32 amount. No transfers shall be authorized which increase * * * the
33 major object of expenditure "Salaries, Wages and Fringe Benefits,"
34 or which increase the major object of expenditure "Capital Outlay
35 - Equipment." The agency head shall submit written justification
36 for the transfer to the Legislative Budget Office, the Department
37 of Finance and Administration, and the State Auditor, on or before
38 the fifteenth of the month prior to the effective date of the
39 transfer. The transfer shall be effective the first working day
40 of the month following timely submissions required herein. In
41 cases of extreme hardship, certified in writing by the agency head
42 and submitted with timely submissions required herein, the
43 Executive Director of the Department of Finance and
44 Administration, in his discretion, may authorize an earlier
45 effective date for the transfer.

46 **[From and after August 31, 2001, this section shall read as**
47 **follows:]**

48 27-104-17. (1) An allotment period shall be one-half (1/2)
49 of twelve (12) months, and expenditure one-half (1/2) of the
50 appropriated amount, unless otherwise specified in the
51 appropriation bill or justified by the agency to the Department of
52 Finance and Administration, and the first allotment period shall
53 commence on July 1. Estimates shall be filed with the Department
54 of Finance and Administration not later than the first day of the
55 month preceding the beginning period.

56 Provided further, that the Department of Finance and
57 Administration may, in its discretion, restrict an agency to
58 monthly allotment period when it becomes evident that an agency's
59 rate of expenditure to date indicates this restriction will be
60 necessary to prevent depletion of its appropriation prior to the
61 close of the fiscal year or when the condition of the State



62 General Fund requires monthly monitoring and control of the rate
63 of General Fund expenditures.

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

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

