HOUSE BILL NO. 582

AN ACT TO PROVIDE THAT IF THE NUMBER OF EMPLOYEES AUTHORIZED
FOR A STATE AGENCY IS INCREASED ABOVE THE NUMBER AUTHORIZED FOR
THE PREVIOUS FISCAL YEAR, AND ANY OF THE ADDITIONAL AUTHORIZED
EMPLOYEES ARE NOT HIRED, NONE OF THE MONEY THAT IS ALLOCATED IN
THE CURRENT APPROPRIATION BILL FOR THE SALARY OF ANY ADDITIONAL
AUTHORIZED EMPLOYEE THAT IS NOT HIRED MAY BE EXPENDED BY THE
AGENCY TO INCREASE THE SALARY OF ANY OTHER EMPLOYEE OF THE AGENCY;
AND FOR RELATED PURPOSES.

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

SECTION 1. (1) If the number of authorized positions for a
state agency or department in its appropriation bill for the
current fiscal year is more than the number of authorized
positions for that agency or department in its appropriation bill
for the previous fiscal year, and any of the additional authorized
positions are not filled during the current fiscal year, none of
the money that is allocated in the current fiscal year's
appropriation bill for the salary, wages and fringe benefits for
any additional authorized position that is not filled during the
fiscal year may be expended by the agency or department to
increase the salary, wages or fringe benefits for any other
position of the agency or department or expended for any other
purpose. The amount of general funds that is allocated in the
current fiscal year's appropriation bill for the salary, wages and
fringe benefits for any additional authorized position that is not
filled during the fiscal year shall lapse into the State General
Fund at the end of the fiscal year. The amount of special funds
that is allocated in the current fiscal year's appropriation bill
for the salary, wages and fringe benefits for any additional
authorized position that is not filled during the fiscal year

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By: Representative Taylor To: Appropriations

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shall remain in the special fund at the end of the fiscal year,
unless it is required by law to lapse into the State General Fund.

(2) If an executive head or other employee of a state agency
or department authorizes or allows any of the money that is
allocated in its appropriation bill for the current fiscal year
for the salary, wages and fringe benefits for any additional
authorized position that is not filled during the fiscal year, to
be expended to increase the salary, wages or fringe benefits for
any other position of the agency or department or expended for any
other purpose in violation of this section, the executive head or
other employee shall be personally liable to the State of
Mississippi for the amount of money so authorized or allowed to be
expended.

(3) The State Fiscal Officer shall not issue any warrant
authorizing any of the money that is allocated in the
appropriation bill of a state agency or department for the current
fiscal year for the salary, wages and fringe benefits for any
additional authorized position that is not filled during the
fiscal year, to be expended to increase the salary, wages or
fringe benefits for any other position of the agency or department
or expended for any other purpose in violation of this section.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2002.