HOUSE BILL NO. 1406

AN ACT TO AMEND SECTION 7-9-41, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE FISCAL OFFICER TO APPROVE OR DISAPPROVE THE WITHDRAWAL OF FUNDS FROM THE STATE TREASURY BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 7-9-41, Mississippi Code of 1972, is amended as follows:

7-9-41. (1) All support and maintenance funds appropriated for the operating expenses of all departments, institutions, agencies, boards and commissions, supported wholly or in part by the state, shall be drawn from the State Treasury only upon the issuance of individual warrants by the State Fiscal Officer in direct payment for goods sold or services performed, except where specifically provided otherwise in these statutes. The State Fiscal Officer shall issue his warrants only upon requisitions signed by the proper person, officer or officers.

(2) The State Fiscal Officer shall approve or disapprove the withdrawal of funds from the State Treasury by the Board of Trustees of State Institutions of Higher Learning. For the purposes of this section, the central board offices, including system administration, the University Research Center, the Mississippi Automated Resource Information System and Student Financial Aid, shall not be considered "institutions" and shall not be eligible to make lump-sum withdrawals from the Treasury.

The executive heads, together with the secretary or other person in charge of the books and accounts, of the state institutions of higher learning, if they receive such written
approval, shall make up, in the form prescribed by the State
Fiscal Officer and the State Treasurer, checklists of all
salaries, accounts, bills, contracts and claims which shall have
accrued during the month. Based upon such statement and in
company with it, the state institutions of higher learning,
through their proper officers, shall make requisition upon the
State Fiscal Officer for only so much money as shall then be
needed to pay salaries, accounts, bills, contracts and claims
which may then be due, together with a reasonable amount for
contingent expenses.

Such requisitions may be drawn upon the State Fiscal
Officer’s accounts, who shall draw its warrants on the Treasurer
from time to time as required, payable to the official depository
provided in Section 7-9-43. In the case of special appropriations
made for buildings and permanent improvements, repairs, furniture,
fixtures, and special supplies, and in all cases where it is not
practicable to furnish a detailed statement, such funds may be
drawn in installments at such times and in such amounts as
necessity may require, and the requisitions for same must be
accompanied by a general statement of the proposed purchases and
expenditures.

In all cases where such lump-sum payments are authorized and
paid as provided in this section, the proper officer or officers
of the state institutions of higher learning shall make such
additional reports to the State Fiscal Officer in the manner and
at such times as he may require. Such reports shall also include
other funds coming into the possession of or for the use and
benefit of the state institutions of higher learning, whether such
funds are regularly handled through the State Treasury or not.

(3) In the case of the Mississippi Department of Human
Services, lump-sum withdrawals may only be made as provided for in
subsection (2) of this section for payments to recipients of
services provided by the department.
SECTION 2. This act shall take effect and be in force from and after July 1, 2002.