To: Appropriations

MISSISSIPPI LEGISLATURE

By: Representative Taylor

HOUSE BILL NO. 251

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 shall lapse into the State General Fund at the end of the fiscal year.
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, 2003.