

By: Representative Bowles

To: Appropriations

HOUSE BILL NO. 386

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

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

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

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

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

26 The executive heads, together with the secretary or other
27 person in charge of the books and accounts, of the state
28 institutions of higher learning, if they receive such written



29 approval, shall make up, in the form prescribed by the State
30 Fiscal Officer and the State Treasurer, checklists of all
31 salaries, accounts, bills, contracts and claims which shall have
32 accrued during the month. Based upon such statement and in
33 company with it, the state institutions of higher learning,
34 through their proper officers, shall make requisition upon the
35 State Fiscal Officer for only so much money as shall then be
36 needed to pay salaries, accounts, bills, contracts and claims
37 which may then be due, together with a reasonable amount for
38 contingent expenses.

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

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

58 (3) In the case of the Mississippi Department of Human
59 Services, lump-sum withdrawals may only be made as provided for in
60 subsection (2) of this section for payments to recipients of
61 services provided by the department.



62 **SECTION 2.** This act shall take effect and be in force from
63 and after July 1, 2003.

