

By: Representatives Capps, Read, Brown,  
Holland

To: Appropriations

HOUSE BILL NO. 1667  
(As Sent to Governor)

1 AN ACT TO DIRECT THE TREASURER TO TRANSFER CERTAIN FUNDS TO  
2 THE BUDGET CONTINGENCY FUND; TO CREATE A SPECIAL FUND IN THE STATE  
3 TREASURY TO BE KNOWN AS THE SPECIAL FUNDS TRANSFER FUND, WHICH  
4 SHALL BE COMPRISED OF THE MONIES REQUIRED TO BE DEPOSITED INTO THE  
5 FUND UNDER SECTION 27-65-75(18), MISSISSIPPI CODE OF 1972; AND FOR  
6 RELATED PURPOSES.

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

8 **SECTION 1.** (1) The State Treasurer shall transfer to the  
9 Budget Contingency Fund created in Section 27-103-301, Mississippi  
10 Code of 1972, out of the following enumerated funds, amounts  
11 listed below for each fund throughout the period beginning upon  
12 passage of this act and through June 30, 2003:

<u>Agency/Fund</u>	<u>Amount</u>
14 State General Fund	\$ 3,600,000.00
15 Working Cash-Stabilization	
16 Reserve Fund	<u>\$ 80,854,000.00</u>
17 Total	\$ 84,454,000.00

18 (2) From and after July 1, 2003, the State Treasurer shall  
19 transfer to the Budget Contingency Fund created in Section  
20 27-103-301, Mississippi Code of 1972, out of the following  
21 enumerated funds, amounts listed below for each fund throughout  
22 the period beginning July 1, 2003, and through June 30, 2004:

<u>Agency/Fund</u>	<u>Fund No.</u>	<u>Amount</u>
24 UM - State Court Education Program	3257	\$ 100,000.00
25 Department of Health	3301	\$ 2,500,000.00
26 Employment Compensation Revolving		
27 Fund	3644	\$ 1,000,000.00
28 Unclaimed Property Fund	3178	\$ 5,000,000.00
29 Gaming Commission	3188	\$ 299,391.00



30	Department of Insurance	3501/3503	\$	400,000.00
31	Camp Shelby Timber Fund	3700	\$	100,000.00
32	Real Estate Appraisers Licensing			
33	and Certification Board	3836	\$	100,000.00
34	Public Contractors Board	3834	\$	300,000.00
35	DPS - Law Enforcement Officers'			
36	Standards and Training Board	3742	\$	2,100,000.00
37	DPS - Emergency Telecommunications			
38	Standards and Training Board	3744	\$	3,000,000.00
39	DPS - Crime Stoppers	371D	\$	200,000.00
40	DPS - County Jail Officers Board	3741	\$	200,000.00
41	Board of Bar Admissions	3055	\$	350,000.00
42	Board of Nursing	3838	\$	200,000.00
43	Motor Vehicle Commission	3839	\$	100,000.00
44	Board of Registration of Foresters	3844	\$	100,000.00
45	Board of Pharmacy	3846	\$	1,000,000.00
46	Criminal Justice Fund	3086	\$	350,000.00
47	MDA - CAP Loan Program	34KX	\$	3,500,000.00
48	State General Fund			\$147,820,054.00
49	Department of Transportation	3941	\$	50,000,000.00
50	Workers' Compensation Commission	3521	\$	100,000.00
51	Auctioneers Commission	3820	\$	100,000.00
52	Securities Act Enforcement Fund	3111/3114	\$	2,600,000.00
53	School Ad Valorem Tax Reduction Fund			<u>\$ 46,000,000.00</u>
54	Total			\$267,519,445.00

55 (3) In addition to the amounts transferred to the Budget  
56 Contingency Fund under the provisions of this act, the Budget  
57 Contingency Fund is authorized to receive any additional funds  
58 that may become available to the fund from any source during the  
59 period beginning upon passage of this act and through June 30,  
60 2004.

61 (4) Not later than September 1, 2003, the State Treasurer  
62 shall transfer the sum of Fifty Million Dollars (\$50,000,000.00)



63 from the Budget Contingency Fund to the Working Cash-Stabilization  
64 Reserve Fund.

65 **SECTION 2.** (1) The State Treasurer shall transfer to the  
66 Budget Contingency Fund created in Section 27-103-301, Mississippi  
67 Code of 1972, out of the following enumerated funds, the amount  
68 listed below for each fund throughout the period beginning upon  
69 July 1, 2003, and ending June 30, 2004:

70 <u>Agency/Fund</u>	<u>Fund No.</u>	<u>Amount</u>
71 Unclaimed Property Fund	3178	\$10,000,000.00
72 Tort Claims Fund	3080	\$14,000,000.00
73 Department of Environmental		
74 Quality		<u>\$ 6,000,000.00</u>
75 Total		\$30,000,000.00

76 (2) Upon notification from the State Treasurer, the  
77 appropriate agency shall make the transfer from its special funds  
78 as required by the State Treasurer.

79 **SECTION 3.** (1) From July 1, 2003, until June 30, 2004, the  
80 State Treasurer shall transfer to the Budget Contingency Fund  
81 created in Section 27-103-301, Mississippi Code of 1972, from the  
82 aggregate of special funds in the State Treasury, an amount equal  
83 to Fifty-four Million Dollars (\$54,000,000.00) or such lesser  
84 amount as provided in subsection (2) of this section. The funds  
85 shall be transferred in accordance with a schedule established by  
86 the State Treasurer, but the total amount transferred in any one  
87 (1) month shall not exceed Thirteen Million Five Hundred Thousand  
88 Dollars (\$13,500,000.00) and the amount transferred from any one  
89 (1) fund during fiscal year 2004 shall not exceed twenty-five  
90 percent (25%) of the balance of the fund, as determined by the  
91 State Treasurer.

92 (2) The amount of Fifty-four Million Dollars  
93 (\$54,000,000.00) that the State Treasurer is directed to transfer  
94 to the Budget Contingency Fund under subsection (1) of this  
95 section shall be reduced by the amount of the unencumbered General



96 Fund cash balance at the close of fiscal year 2003 that is  
97 deposited into the Working-Cash Stabilization Reserve Fund under  
98 Section 27-103-203, Mississippi Code of 1972. The amount of the  
99 unencumbered General Fund cash balance at the close of fiscal year  
100 2003 that is deposited into the Working Cash-Stabilization Reserve  
101 Fund under Section 27-103-203, Mississippi Code of 1972, shall be  
102 transferred from the Working Cash-Stabilization Reserve Fund to  
103 the Budget Contingency Fund on the same date that the amount is  
104 deposited into the Working Cash-Stabilization Reserve Fund or as  
105 soon thereafter as practicable.

106 (3) The State Treasurer shall determine which special funds  
107 shall be transferred to the Budget Contingency Fund in any month  
108 under this section and shall notify the appropriate agency, except  
109 that the Working Cash-Stabilization Reserve Fund, trust funds,  
110 bond proceed funds, federal funds, special-source funds used to  
111 match federal funds, special-source funds to the credit of the  
112 Mississippi Department of Transportation, special-source funds  
113 listed in Section 2 of this act and special-source funds to the  
114 credit of the Department of Mental Health derived from client  
115 care, and special-source funds to the credit of the  
116 Telecommunications Ad Valorem Tax Reduction Fund established under  
117 Section 27-38-7, Mississippi Code of 1972, shall be exempt from  
118 any required transfer under this section. Upon notification from  
119 the State Treasurer, the agency shall make the transfer from its  
120 special funds as required by the State Treasurer.

121 **SECTION 4.** (1) There is created in the State Treasury a  
122 special fund to be known as the Special Funds Transfer Fund, which  
123 shall be comprised of the monies required to be deposited into the  
124 fund under Section 27-65-75(18) for the repayment of certain funds  
125 transferred to the Budget Contingency Fund. Upon receipt of  
126 monies deposited into the fund under Section 27-65-75(18), the  
127 State Treasurer shall transfer those monies to the special funds  
128 from which transfers were made under Sections 2 and 3 of this act.



129           (2) Unexpended amounts remaining in the fund on September  
130 30, 2005, shall lapse into the State General Fund, and any  
131 interest earned or investment earnings on amounts in the fund  
132 shall be deposited to the credit of the fund.

133           **SECTION 5.** The Governor or the Department of Finance and  
134 Administration shall not rescind or restore any reductions or  
135 revisions of estimates or allocations of general funds or  
136 state-source special funds made by the Governor or the Department  
137 of Finance and Administration under the provisions of Section  
138 27-104-13 or Section 31-17-123 during fiscal year 2003 or any  
139 fiscal year thereafter.

140           **SECTION 6.** It is the intent of the Legislature that the  
141 Executive Director of the Division of Medicaid shall maintain the  
142 current services until such time as the 2004 Legislature convenes.  
143 This is not intended to affect any of the provisions in House Bill  
144 No. 897, 2003 Regular Session, or other cost saving measures that  
145 otherwise may be implemented.

146           **SECTION 7.** This act shall take effect and be in force from  
147 and after its passage.

