

By: Senator(s) Gordon

To: Appropriations

SENATE BILL NO. 2542

1 AN ACT TO AMEND SECTIONS 27-103-125, 27-103-139 AND
2 27-103-211, MISSISSIPPI CODE OF 1972, TO REVISE THE PERCENTAGE
3 LIMITATION ON LEGISLATIVE APPROPRIATION FROM THE STATE GENERAL
4 FUND OVER A THREE-YEAR PERIOD; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 27-103-125, Mississippi Code of 1972, is
7 amended as follows:

8 27-103-125. The proposed budget of each state agency shall
9 show the amounts required for operating expenses separately from
10 the amounts required for permanent improvements. The overall
11 budget shall show, separately by each source, the estimated amount
12 of general fund revenue and of special fund revenues of general
13 fund agencies. The total proposed expenditures in Part 1 of the
14 overall budget shall not exceed the amount of estimated revenues
15 which will be available in the general and special funds for
16 appropriation or use during the succeeding fiscal year, including
17 any balances which will be on hand in the general and special
18 funds at the close of the then current fiscal year. Beginning
19 with the budget for fiscal year 1994, the total proposed
20 expenditures from the State General Fund in Part 1 of the overall
21 budget shall not exceed ninety-eight percent (98%) of the amount
22 of general fund revenue estimate for the succeeding fiscal year,
23 plus any unencumbered balances in general funds that will be
24 available and on hand at the close of the then current fiscal
25 year. Provided, however, that beginning with the budget for
26 fiscal year 2004, the total proposed expenditures from the State
27 General Fund in Part 1 of the overall budget shall not exceed one
28 hundred percent (100%) of the amount of the general fund revenue



29 estimate for the succeeding year, plus any unencumbered balances
30 in general funds that will be available and on hand at the close
31 of the then current fiscal year. Beginning with the budget for
32 fiscal year 2005, the total proposed expenditures from the State
33 General Fund in Part 1 of the overall budget shall not exceed
34 ninety-seven and one-half percent (97.5%) of the amount of the
35 general fund revenue estimate for the succeeding year, plus any
36 unencumbered balances in general funds that will be available and
37 on hand at the close of the then current fiscal year. Beginning
38 with the budget for fiscal year 2006 and fiscal years thereafter,
39 the total proposed expenditures from the State General Fund in
40 Part 1 of the overall budget shall not exceed ninety-seven percent
41 (97%) of the amount of the general fund revenue estimate for the
42 succeeding year, plus any unencumbered balances in general funds
43 that will be available and on hand at the close of the then
44 current fiscal year. The general fund revenue estimate shall be
45 the estimate jointly adopted by the Governor and the Joint
46 Legislative Budget Committee. Unencumbered balances in general
47 funds that will be available and on hand at the close of the
48 current fiscal year shall not include projected amounts required
49 to be deposited into the Working Cash-Stabilization Reserve Fund
50 pursuant to Section 27-103-203. The Legislative Budget Office may
51 recommend additional taxes or sources of revenue if in its
52 judgment such additional funds are necessary to adequately support
53 the functions of the state government.

54 **SECTION 2.** Section 27-103-139, Mississippi Code of 1972, is
55 amended as follows:

56 27-103-139. On or before November 15 preceding each regular
57 session of the Legislature, except the first regular session of a
58 new term of office, the Governor shall submit to the members of
59 the Legislature, the Legislative Budget Office or the
60 members-elect, as the case may be, and to the executive head of
61 each state agency a balanced budget for the succeeding fiscal



62 year. Beginning with the 1996 fiscal year, the budget submitted
63 shall be prepared in a format which will include performance
64 measurement data associated with the various programs operated by
65 each agency. The total proposed expenditures in the balanced
66 budget shall not exceed the amount of estimated revenues that will
67 be available for appropriation or use during the succeeding fiscal
68 year, including any balances that will be on hand at the close of
69 the then current fiscal year, as determined by the revenue
70 estimate jointly adopted by the Governor and the Legislative
71 Budget Committee. Beginning with the budget for fiscal year 1994,
72 the total proposed expenditures from the State General Fund in the
73 balanced budget shall not exceed ninety-eight percent (98%) of the
74 amount of general fund revenue estimate for the succeeding fiscal
75 year, plus any unencumbered balances in general funds that will be
76 available and on hand at the close of the then current fiscal
77 year. Provided, however, that beginning with the budget for
78 fiscal year 2004, the total proposed expenditures from the State
79 General Fund in the balanced budget shall not exceed one hundred
80 percent (100%) of the amount of the general fund revenue estimate
81 for the succeeding year, plus any unencumbered balances in general
82 funds that will be available and on hand at the close of the then
83 current fiscal year. Beginning with the budget for fiscal year
84 2005, the total proposed expenditures from the State General Fund
85 in the balanced budget shall not exceed ninety-seven and one-half
86 percent (97.5%) of the amount of the general fund revenue estimate
87 for the succeeding year, plus any unencumbered balances in general
88 funds that will be available and on hand at the close of the then
89 current fiscal year. Beginning with the budget for fiscal year
90 2006, and fiscal years thereafter, the total proposed expenditures
91 from the State General Fund in the balanced budget shall not
92 exceed ninety-seven percent (97%) of the amount of the general
93 fund revenue estimate for the succeeding year, plus any
94 unencumbered balances in general funds that will be available and



95 on hand at the close of the then current fiscal year. The general
96 fund revenue estimate shall be the estimate jointly adopted by the
97 Governor and the Joint Legislative Budget Committee. Unencumbered
98 balances in general funds that will be available and on hand at
99 the close of the fiscal year shall not include projected amounts
100 required to be deposited into the Working Cash-Stabilization
101 Reserve Fund and the Education Enhancement Fund pursuant to
102 Section 27-103-203.

103 The revenues used in preparing the balanced budget shall be
104 only those revenues that will be available under the general laws
105 of the state as they exist when the balanced budget is prepared,
106 and shall not include any proposed revenues that would become
107 available only after the enactment of new legislation. If the
108 Governor has any recommendations for additional proposed
109 expenditures or proposed revenues that are not included in his
110 balanced budget, he shall submit those recommendations in a
111 supplement that is separate from his balanced budget, and whenever
112 the Governor recommends any such additional proposed expenditures,
113 he also shall recommend proposed revenues that are sufficient to
114 fund the additional proposed expenditures, providing specific
115 details regarding the sources and the total amount of those
116 proposed revenues.

117 The Governor may employ a budget officer for the purpose of
118 receiving information from the State Fiscal Officer and preparing
119 his recommendations on the budget. In the event the Governor
120 determines that information received from the State Fiscal Officer
121 is not sufficient to enable him to prepare his budget
122 recommendations, he may request an appropriation from the
123 Legislature to provide additional staff within the Governor's
124 Office for such purpose. At the first regular session after his
125 election for Governor, the Governor shall submit any budget
126 recommendations plus the required revenue source recommendations
127 no later than January 31 of such year.



128 **SECTION 3.** Section 27-103-211, Mississippi Code of 1972, is
129 amended as follows:

130 27-103-211. Beginning with the appropriations for fiscal
131 year 1994, the total sum appropriated by the Legislature from the
132 State General Fund for any fiscal year shall not exceed
133 ninety-eight percent (98%) of the general fund revenue estimate
134 for that fiscal year developed by the Tax Commission and the
135 University Research Center and adopted by the Joint Legislative
136 Budget Committee, plus any unencumbered balances in general funds
137 that will be available and on hand at the close of the then
138 current fiscal year. The unencumbered balances in general funds
139 that will be available and on hand at the close of the fiscal year
140 shall not include projected amounts required to be deposited into
141 the Working Cash-Stabilization Reserve Fund pursuant to Section
142 27-103-203. Provided, however, that beginning with the budget for
143 fiscal year 2004, the total proposed expenditures from the State
144 General Fund in Part 1 of the overall budget shall not exceed one
145 hundred percent (100%) of the amount of the general fund revenue
146 estimate for the succeeding year, plus any unencumbered balances
147 in general funds that will be available and on hand at the close
148 of the then current fiscal year. Beginning with the budget for
149 fiscal year 2005, the total proposed expenditures from the State
150 General Fund in Part 1 of the overall budget shall not exceed
151 ninety-seven and one-half percent (97.5%) of the amount of the
152 general fund revenue estimate for the succeeding year, plus any
153 unencumbered balances in general funds that will be available and
154 on hand at the close of the then current fiscal year. Beginning
155 with the budget for fiscal year 2006 and fiscal years thereafter,
156 the total proposed expenditures from the State General Fund in
157 Part 1 of the overall budget shall not exceed ninety-seven percent
158 (97%) of the amount of the general fund revenue estimate for the
159 succeeding year, plus any unencumbered balances in general funds



160 that will be available and on hand at the close of the then
161 current fiscal year.

162 **SECTION 4.** This act shall take effect and be in force from
163 and after its passage.

