AN ACT MAKING AN APPROPRIATION FOR SUPPORT OF THE MISSISSIPPI
BUREAU OF NARCOTICS OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY

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

SECTION 1. The following sum, or so much thereof as may be
necessary, is hereby appropriated out of any money in the State
General Fund not otherwise appropriated, for payment of the
expenses of the Mississippi Bureau of Narcotics of the Mississippi
Department of Public Safety, created by Section 41-29-101 et seq.,
Mississippi Code of 1972, for the fiscal year beginning
July 1, 2003, and ending June 30, 2004....... $ 9,765,382.00.

SECTION 2. The following sum, or so much thereof as may be
necessary, is hereby authorized for expenditure out of any money
in the special fund in the State Treasury to the credit of the
Mississippi Bureau of Narcotics of the Mississippi Department of
Public Safety which is comprised of special source funds collected
by or otherwise available to the agency, for the support and
maintenance of the agency for the fiscal year beginning
July 1, 2003, and ending June 30, 2004....... $ 1,538,702.00.

SECTION 3. With the funds appropriated under the provisions
of Sections 1 and 2, the following positions are authorized:

AUTHORIZED POSITIONS:

23 Permanent: Full Time............. 223
24 Part Time............. 0
25 Time-Limited: Full Time............. 4
26 Part Time............. 0
With the funds herein appropriated, it is the intention of the Legislature that it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2005 do not exceed Fiscal Year 2004 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2005 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to insure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2004 appropriation for "Personal Services" when annualized. If, at the end of any calendar month, the State Personnel Board determines that the agency has taken action(s) which would cause the agency to exceed this projected annual cost or the Fiscal Year 2004 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

**SECTION 4.** Of the funds appropriated under the provisions of Section 2, funds are included to defray the costs of clothing for sworn law enforcement officers in an amount not to exceed One Thousand Dollars ($1,000.00) annually per officer.

**SECTION 5.** It is the intention of the Legislature that Fair Labor Standards Act (FLSA) non-exempt sworn officers may...
accumulate and/or receive monetary compensation for compensatory
time not to exceed 300 Hours in any fiscal year. FLSA exempt
sworn officers may accumulate and/or receive monetary compensation
for compensatory time not to exceed 300 hours in any fiscal year.
Further, an FLSA exempt sworn officer having more than 300 hours
of compensatory time on record as of passage of this bill shall
exhaust through usage the excess compensatory time by December 31,
2003. Any compensatory time in excess of 300 hours of exempt
sworn officers as of January 1, 2004, shall be forfeited and the
balance shall be reduced to 300 hours. However, the Bureau of
Narcotics Director shall have the authority to authorize
compensatory time in excess of 300 hours for exempt and non-exempt
sworn officers to carry out the duties and functions of the
Department of Public Safety during times of extraordinary or
unusual public safety risks, or for federally funded call back
details, or for full or part time assignments to federally funded
task forces. However, at no time will compensation of FLSA non-
exempt or exempt sworn officers exceed in total the compensation
of the agency head pursuant to Section 25-3-39(2), Mississippi

SECTION 6. The money herein appropriated shall be paid by the
State Treasurer out of any money in the State Treasury to the
credit of the proper fund or funds as set forth in this act, upon
warrants issued by the State Fiscal Officer; and the State Fiscal
Officer shall issue his warrants upon requisitions signed by the
proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from
and after July 1, 2003.