

By: Representatives Holloway, Straughter,
Whittington

To: Fees and Salaries of
Public Officers;
Appropriations

HOUSE BILL NO. 880

1 AN ACT TO PROVIDE THAT WHENEVER THE LEGISLATURE AUTHORIZES
2 SALARY INCREASES FOR EMPLOYEES OF STATE AGENCIES, COMMUNITY AND
3 JUNIOR COLLEGES AND STATE INSTITUTIONS OF HIGHER LEARNING, THE
4 SALARY INCREASES MUST BE AWARDED IN STRICT COMPLIANCE WITH THE
5 LEGISLATIVE INTENT EXPRESSED AND ANY FORMULA SPECIFIED IN THE
6 RESPECTIVE APPROPRIATION BILLS; TO REQUIRE THE EXECUTIVE HEAD OF
7 EACH AGENCY, COMMUNITY OR JUNIOR COLLEGE AND STATE INSTITUTION OF
8 HIGHER LEARNING TO VERIFY THAT THE SALARY INCREASES ARE AWARDED
9 CONSISTENT WITH LEGISLATIVE INTENT; TO PROVIDE THAT THE HEAD OF
10 ANY STATE AGENCY, COLLEGE OR INSTITUTION WHO EXPENDS FUNDS IN
11 VIOLATION OF THE PROVISIONS OF THIS ACT SHALL BE PERSONALLY LIABLE
12 TO THE STATE FOR THE AMOUNT OF MONEY IMPROPERLY EXPENDED; TO
13 PROHIBIT THE STATE FISCAL OFFICER FROM ISSUING ANY WARRANTS THAT
14 WOULD AUTHORIZE ANY STATE AGENCY, COMMUNITY OR JUNIOR COLLEGE OR
15 STATE INSTITUTION OF HIGHER LEARNING TO EXPEND ANY MONEY IN
16 VIOLATION OF THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

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

18 **SECTION 1.** (1) Whenever the Legislature authorizes salary
19 increases for the employees of any state agency, community or
20 junior college or state institution of higher learning in an
21 appropriation bill, the executive head of the agency, college or
22 institution shall provide the salary increases to the employees in
23 strict compliance with the legislative intent expressed and any
24 formula specified in the appropriation bill. If the Legislature
25 provides for across-the-board salary increases for the employees
26 of a state agency, community or junior college or state
27 institution of higher learning in an appropriation bill, and the
28 bill specifies that the salary increases are to be the same amount
29 for each employee, the money allocated in the appropriation bill
30 for across-the-board salary increases may not be used by the
31 agency, college or institution to provide salary increases in
32 different amounts for different employees.

33 (2) Before July 1 of any fiscal year for which the
34 Legislature has authorized salary increases for the employees of

35 any state agency, community or junior college or state institution
36 of higher learning in an appropriation bill, the employee of the
37 agency, college or institution responsible for awarding the raises
38 shall compile a roster of all employees entitled to receive the
39 raise, as directed in the respective appropriation bill. The
40 roster must include each employee's salary before the increase is
41 awarded and the employee's new salary effective on July 1 when the
42 increase is awarded. The roster must be submitted to the
43 executive head of the agency, college or institution, who is
44 responsible for verifying that each employee is awarded the salary
45 increase provided in the applicable appropriation bill in strict
46 compliance with the legislative intent expressed and any formula
47 specified in the appropriation bill.

48 (3) If the executive head or other employee of a state
49 agency, community or junior college or state institution of higher
50 learning authorizes or allows any of the money allocated in the
51 appropriation bill for salary increases for employees of the
52 agency, college or institution to be used or expended in any
53 manner that is not in strict compliance with the legislative
54 intent expressed and any formula specified in the appropriation
55 bill or which is otherwise in violation of this section, the
56 executive head or other employee shall be personally liable to the
57 State of Mississippi for the amount of money so authorized or
58 allowed to be improperly used or expended.

59 (4) The State Fiscal Officer may not issue any warrant
60 authorizing any of the money allocated in an appropriation bill
61 for salary increases for employees of a state agency, community or
62 junior college or state institution of higher learning to be used
63 or expended in any manner that is not in strict compliance with
64 the legislative intent expressed and any formula specified in the
65 appropriation bill or which is otherwise in violation of this
66 section.

67 **SECTION 2.** This act shall take effect and be in force from
68 and after July 1, 2006.