

By: Representatives Holloway, Brown, Buck,  
Fredericks, Guice, Hines, Lane, Mayo

To: Appropriations

## HOUSE BILL NO. 829

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, 2007.