

By: Senator(s) Dearing

To: Appropriations

SENATE BILL NO. 2136

1 AN ACT TO PROVIDE FOR THE PREPARATION OF AN EXECUTIVE BUDGET;
 2 TO AMEND SECTION 27-103-137, MISSISSIPPI CODE OF 1972, TO PROVIDE
 3 THAT THE JOINT LEGISLATIVE BUDGET COMMITTEE AND THE EXECUTIVE
 4 BUDGET OFFICE SHALL CONDUCT JOINT BUDGET HEARINGS; TO AMEND
 5 SECTION 27-103-139, MISSISSIPPI CODE OF 1972, TO REVISE THE
 6 TIMETABLE FOR PREPARATION OF THE LEGISLATIVE BUDGET BEGINNING WITH
 7 THE 2008 REGULAR SESSION; TO CODIFY SECTIONS 27-103-161 THROUGH
 8 27-103-187, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE OFFICE
 9 OF BUDGET AND FUND MANAGEMENT WITHIN THE DEPARTMENT OF FINANCE AND
 10 ADMINISTRATION SHALL BE KNOWN AS THE EXECUTIVE BUDGET OFFICE, TO
 11 PROVIDE FOR BUDGET PREPARATION, RECOMMENDATIONS AND STUDIES AS TO
 12 STATE AGENCIES, TO PROVIDE FOR EXECUTIVE BUDGET PARTS, SEPARATION
 13 OF ITEMS, LIMITATION ON EXPENDITURES, RECOMMENDATIONS AS TO
 14 ADDITIONAL TAXES OR SOURCES OF REVENUE, TO PROVIDE THAT BUDGET
 15 HEARINGS SHALL BE CONDUCTED JOINTLY WITH THE JOINT LEGISLATIVE
 16 BUDGET COMMITTEE, TO PROVIDE FOR EXECUTIVE BUDGET REQUESTS,
 17 PROCEEDINGS, FAILURE OR REFUSAL TO FILE BUDGET REQUESTS,
 18 VISITATION OF STATE AGENCIES, HEARINGS ON EXECUTIVE BUDGET
 19 REQUIREMENTS, TO PROVIDE FOR REPORTS TO BE FURNISHED BY REVENUE
 20 PRODUCING AGENCIES, TO PROVIDE FOR SUBMISSION OF THE EXECUTIVE
 21 BUDGET; TO AMEND SECTIONS 27-103-101 AND 27-103-103, MISSISSIPPI
 22 CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

24 **SECTION 1.** Section 27-103-137, Mississippi Code of 1972, is
 25 amended as follows:

26 27-103-137. The Legislative Budget Office shall hold such
 27 hearings as may be necessary to determine the actual budget
 28 requirements of the agencies, to be held jointly and in
 29 conjunction with the Executive Budget Office as provided in
 30 Section 27-103-187. Such budget hearings shall be coordinated and
 31 held at the same time, to the extent that this is
 32 practicable. * * * The State Fiscal Management Board and the
 33 Governor's Budget Officer shall be notified of such hearings and
 34 the board and any staff members of the board and of the Governor's
 35 office may attend such hearings in order to give the Governor
 36 adequate information on which to base any budget recommendations
 37 he may desire to submit to the Legislature. The Legislative

38 Budget Office shall have made a sufficient number of copies of its
39 proposed budget in order that the data contained therein will be
40 available to the members of the Legislature for consideration, and
41 to provide a copy for each state agency included in the budget
42 proposal, and shall forward a copy to each member or member-elect
43 of the Legislature and to each state agency on or about November
44 15 prior to the 2007 Regular Session and on or about November 15
45 annually thereafter.

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

48 27-103-139. On or before November 15 preceding the 2008
49 Regular Session and each regular session of the Legislature,
50 except the first regular session of a new term of office, the
51 Joint Legislative Budget Committee shall submit to the members of
52 the Legislature, * * * or the members-elect, as the case may be,
53 and to the executive head of each state agency a balanced budget
54 for the succeeding fiscal year. The budget submitted shall be
55 prepared in a format that will include performance measurement
56 data associated with the various programs operated by each agency.
57 The total proposed expenditures in the balanced budget shall not
58 exceed the amount of estimated revenues that will be available for
59 appropriation or use during the succeeding fiscal year, including
60 any balances that will be on hand at the close of the then current
61 fiscal year, as determined by the revenue estimate jointly adopted
62 by the Governor and the Legislative Budget Committee. The total
63 proposed expenditures from the State General Fund in the balanced
64 budget shall not exceed ninety-eight percent (98%) of the amount
65 of general fund revenue estimate for the succeeding fiscal year,
66 plus any unencumbered balances in general funds that will be
67 available and on hand at the close of the then current fiscal
68 year. However, for fiscal year 2006 only, the total proposed
69 expenditures from the State General Fund in the balanced budget
70 shall not exceed one hundred percent (100%) of the amount of the

71 general fund revenue estimate for the succeeding fiscal year, plus
72 any unencumbered balances in general funds that will be available
73 and on hand at the close of the then current fiscal year. The
74 general fund revenue estimate shall be the estimate jointly
75 adopted by the Governor and the Joint Legislative Budget
76 Committee. Unencumbered balances in general funds that will be
77 available and on hand at the close of the fiscal year shall not
78 include projected amounts required to be deposited into the
79 Working Cash-Stabilization Reserve Fund and the Education
80 Enhancement Fund under Section 27-103-203.

81 The revenues used in preparing the balanced budget shall be
82 only those revenues that will be available under the general laws
83 of the state as they exist when the balanced budget is prepared,
84 and shall not include any proposed revenues that would become
85 available only after the enactment of new legislation. If the
86 Joint Legislative Budget Committee has any recommendations for
87 additional proposed expenditures or proposed revenues that are not
88 included in the balanced budget, it shall submit those
89 recommendations in a supplement that is separate from the balanced
90 budget, and whenever the Joint Legislative Budget Committee
91 recommends any such additional proposed expenditures, it also
92 shall recommend proposed revenues that are sufficient to fund the
93 additional proposed expenditures, providing specific details
94 regarding the sources and the total amount of those proposed
95 revenues.

96 * * *

97 **SECTION 3.** The following provision shall be codified as
98 Section 27-103-161, Mississippi Code of 1972:

99 27-103-161. The Office of Budget and Fund Management within
100 the Department of Finance and Administration shall be known as the
101 Executive Budget Office.

102 **SECTION 4.** The following provision shall be codified as
103 Section 27-103-163, Mississippi Code of 1972:

104 27-103-163. It shall be the duty of the Executive Budget
105 Office to prepare the overall balanced budget of the entire
106 expenses and income of the state for each fiscal year, which
107 budget shall encompass the operations of all general-fund agencies
108 and all special-fund agencies and the Mississippi Department of
109 Transportation. Said overall budget shall be completed prior to
110 December 15 before the convening of the Legislature at the regular
111 session, except the first regular session of a Governor's new term
112 of office. At the first regular session after his election for
113 Governor, the Governor shall submit any budget recommendations
114 plus the required revenue source recommendations no later than
115 January 31 of such year.

116 **SECTION 5.** The following provision shall be codified as
117 Section 27-103-165, Mississippi Code of 1972:

118 27-103-165. It shall be the further duty of the Executive
119 Budget Office to make continuous and careful study of all state
120 agencies, and it may make recommendations to the state Legislature
121 for abolition, consolidation or creation of state agencies.

122 **SECTION 6.** The following provision shall be codified as
123 Section 27-103-167, Mississippi Code of 1972:

124 27-103-167. It shall be the duty of the Director of the
125 Executive Budget Office to familiarize himself with the
126 operations, needs, requirements and anticipated expenses and
127 income of all state agencies and, for such purpose, he shall have
128 the authority to require any state agency to furnish him with any
129 and all necessary information.

130 **SECTION 7.** The following provision shall be codified as
131 Section 27-103-169, Mississippi Code of 1972:

132 27-103-169. The overall budget so prepared shall be in three
133 (3) parts as specified in Sections 27-103-151 through 27-103-155
134 and 27-104-1 through 27-104-27 and shall contain a general summary
135 of the three (3) parts.

136 **SECTION 8.** The following provision shall be codified as
137 Section 27-103-171, Mississippi Code of 1972:

138 27-103-171. Part 1 of the overall budget shall include
139 therein the requested budget and the recommended budget for each
140 general-fund agency, in addition to such other information as may
141 be prescribed by the Executive Budget Office, the following:

142 (a) The amount appropriated from the General Fund for
143 the current fiscal year, all special funds receipts already
144 collected and available in the current fiscal year, and an
145 estimate of all special funds which will be collected, or
146 otherwise will become available, by the end of the then current
147 fiscal year;

148 (b) The estimated amount of all expenditures to be made
149 or obligations to be incurred payable from general or special
150 funds during the then current fiscal year;

151 (c) The estimated aggregate amount of funds which will
152 be needed by the agency for the succeeding fiscal year; beginning
153 with the 2008 fiscal year and in the event that any services
154 proposed to be provided by the agency in the succeeding fiscal
155 year are Medicaid reimbursable, any state general matching funds
156 necessary for such reimbursements shall be included in the
157 agency's proposed budget, and the appropriation to the Division of
158 Medicaid in the 2008 fiscal year shall be adjusted accordingly;

159 (d) The estimated aggregate amount of special funds, if
160 any, which will be available during the succeeding fiscal year,
161 including any balances which will be on hand at the close of the
162 then current fiscal year;

163 (e) The estimated amount which will be needed and which
164 will require change in existing law or laws;

165 (f) If any new item of expense is included in the
166 proposed budget of any general-fund agency, the reason therefor
167 shall be given; and in any case where the Executive Budget Office
168 shall eliminate or reduce any item or items in the budget request

169 of any general-fund agency, it shall note briefly the reasons
170 therefor, together with the reasons advanced by the agency in
171 support of the item or items eliminated or reduced.

172 **SECTION 9.** The following provision shall be codified as
173 Section 27-103-173, Mississippi Code of 1972:

174 27-103-173. The proposed budget of each state agency shall
175 show the amounts required for operating expenses separately from
176 the amounts required for permanent improvements. The overall
177 budget shall show, separately by each source, the estimated amount
178 of general-fund revenues and of special-fund revenues of
179 general-fund agencies. The total proposed expenditures in Part 1
180 of the overall budget shall not exceed the amount of estimated
181 revenues which will be available in the general and special funds
182 for appropriation or use during the succeeding fiscal year,
183 including any balances which will be on hand in the general and
184 special funds at the close of the then current fiscal year.
185 Beginning with the budget for fiscal year 2008, the total proposed
186 expenditures from the State General Fund in Part 1 of the overall
187 budget shall not exceed ninety-eight percent (98%) of the amount
188 of the general-fund revenue estimate for the succeeding fiscal
189 year, plus any unencumbered balances in general funds that will be
190 available and on hand at the close of the then current fiscal
191 year. The general-fund revenue estimate shall be the estimate
192 jointly adopted by the Governor and the Joint Legislative Budget
193 Committee. Unencumbered balances in general funds that will be
194 available and on hand at the close of the current fiscal year
195 shall not include projected amounts required to be deposited into
196 the Working Cash-Stabilization Reserve Fund pursuant to Section
197 27-103-203. The Executive Budget Office may recommend additional
198 taxes or sources of revenue if, in its judgment, such additional
199 funds are necessary to adequately support the functions of the
200 state government.

201 **SECTION 10.** The following provision shall be codified as
202 Section 27-103-175, Mississippi Code of 1972:

203 27-103-175. To the end that the overall budget shall present
204 in comparable terms a complete summary of all financial operations
205 of all state agencies, Part 2 of the overall budget shall include
206 therein the requested budget and the recommended budget for each
207 special-fund agency. The overall budget shall show for each
208 special-fund agency, in addition to such other information as may
209 be prescribed by the Executive Budget Office, the following:

210 (a) The amount by source of all special-fund receipts
211 collected or otherwise available in the current fiscal year, and
212 an estimate by source of all special funds which will be collected
213 or become available by the end of the then current fiscal year;

214 (b) The estimated amount of all expenditures to be made
215 or obligations to be incurred payable from such special funds
216 during the then current fiscal year;

217 (c) The estimated aggregate amount of special funds
218 which will be needed by the agency for the succeeding fiscal year;
219 beginning with the 2006 fiscal year and in the event that any
220 services proposed to be provided by the agency in the succeeding
221 fiscal year are Medicaid reimbursable, any state general matching
222 funds necessary for such reimbursement shall be included in the
223 agency's proposed budget, and the appropriation to the Division of
224 Medicaid in the 2006 fiscal year shall be adjusted accordingly;

225 (d) The estimated amount by source of special funds
226 which will be available under existing laws during the succeeding
227 fiscal year, including any balances which will be on hand at the
228 close of the then current fiscal year;

229 (e) The estimated amount which will be needed and which
230 will require change in existing law or laws;

231 (f) If any new item of expense is included in the
232 proposed budget of any special-fund agency, the reason therefor
233 shall be given; and in any case where the Executive Budget Office

234 shall eliminate or reduce any item or items in the proposed budget
235 of any special-fund agency, it shall note briefly the reasons
236 therefor, together with the reasons advanced by the agency in
237 support of the item or items eliminated or reduced;

238 (g) The proposed budget of each special-fund agency
239 shall show the amounts required for operating expenses separately
240 from the amounts required for permanent improvements. Proposed
241 expenditures for any agency in Part 2 of the overall budget shall
242 not exceed the amount of estimated revenues which will be
243 available to it. Provided, that the Executive Budget Office may
244 recommend changes in existing law so as to decrease or increase
245 the revenues available to any agency if, in its judgment, such
246 changes are necessary or desirable. Provided further, that
247 expenditures approved or authorized by the Legislature for any
248 special-fund agency or special funds approved for general-fund
249 agency shall constitute a maximum to be expended or encumbered by
250 such agency, and shall not constitute authority to expend or
251 encumber more than the amount of revenue actually collected or
252 otherwise received. No special-fund agency or general-fund agency
253 shall make expenditures from special funds available to such
254 agency unless such expenditures are set forth in a budget approved
255 by the Legislature. Such legislative approval shall be set forth
256 in an appropriation act. Provided, however, that special funds
257 derived from the collection of taxes for any political subdivision
258 of the state shall be excepted from the foregoing provisions. The
259 executive head of the state agency shall be liable on his official
260 bond for expenditures or encumbrances which exceed the total
261 amount of the budget or the amount received if receipts are less
262 than the approved budget. Provided, however, that each university
263 and college shall submit through the Board of Trustees of State
264 Institutions of Higher Learning an annual budget to the Executive
265 Budget Office prior to the beginning of each fiscal year with such
266 information and in such form, and in such detail, as may be

267 required by the Executive Budget Office. If the Executive Budget
268 Office determines that sufficient funds will be available during
269 the fiscal year to fund the proposed budget as submitted, then and
270 in that event the proposed budget shall be approved. However, if
271 the Executive Budget Office determines that, in its judgment,
272 sufficient funds will not be available to fund the proposed
273 budget, the affected institution or institutions and the Board of
274 Trustees of State Institutions of Higher Learning shall be
275 promptly notified and given an opportunity to either justify the
276 proposed budget or proposed amendments which can be mutually
277 agreed upon. The Executive Budget Office shall then approve the
278 proposed budget or budgets of the several universities and
279 colleges. The total amount approved for each institution shall
280 constitute the maximum funds which may be expended during the
281 fiscal year. The municipal, county or combined municipal and
282 county port and harbor commissions, authorities or other port or
283 harbor agencies not owned or operated by the state, shall submit
284 annual or amended budgets of their estimated receipts and
285 expenditures to the governing bodies of such municipality, county
286 or municipality and county, for their approval, and a copy of such
287 budget as approved by such governing body or bodies shall be filed
288 with the Executive Budget Office. Such budget shall itemize all
289 estimated receipts and expenditures, and the Executive Budget
290 Office may require particularization, explanation or audit
291 thereof, and shall report such information to the Legislature. To
292 the end that the overall budget shall present in comparable terms
293 a complete summary of all financial operations of all state
294 agencies, Part 3 of such overall budget shall consist of an
295 estimated preliminary annual budget of the Department of
296 Transportation and the Division of State Aid Road Construction of
297 the Department of Transportation and such information for the
298 current fiscal year as is necessary to make presentation
299 comparable to that specified for Part 2 special-fund agencies.

300 The annual budget request of the Department of Transportation
301 shall be divided into the following program budgets: (i)
302 administration and other expenses, (ii) construction, (iii)
303 maintenance, and (iv) debt service. In making its annual
304 appropriation to the Department of Transportation from the State
305 Highway Fund, the Legislature shall separate the appropriation
306 bill into the four (4) program budget areas herein specified. For
307 the purposes of this paragraph, "administration and other
308 expenses" shall be construed to mean those expenses incurred due
309 to departmental support activities which cannot be assigned to a
310 specific construction or maintenance project, and shall be
311 construed to include expenses incurred for office machines,
312 furniture, fixtures, automobiles, station wagons, trucks and other
313 vehicles, road machinery, farm equipment and other working
314 equipment, data processing and computer equipment, all other
315 equipment and replacements for equipment. "Construction" shall be
316 construed to mean those expenses associated with the creation and
317 development of the state highway system and its related
318 facilities; "maintenance" shall be construed to mean those
319 expenses incurred due to activities associated with preservation
320 of safe and aesthetically acceptable highways in an attempt to
321 maintain them in as close to the original condition as possible;
322 and "debt service" shall be construed to mean amounts needed to
323 pay bonds and interest coming due, bank service charges and bond
324 debt service.

325 **SECTION 12.** The following provision shall be codified as
326 Section 27-103-181, Mississippi Code of 1972:

327 27-103-181. If any officer or employee of any state agency
328 whose duty it is to do so shall refuse or fail to file a budget
329 request with such information and in such form and in such detail
330 and within such time as the Executive Budget Office may require in
331 the exercise of its authority, the director shall prepare and
332 file, or cause to be prepared and filed, a budget request for such

333 agency, and the expense thereof shall be personally borne by said
334 officer or employee, and he or she shall be responsible on his or
335 her official bond for the payment of the expense; provided that a
336 negligently prepared budget shall be considered as a refusal or
337 failure under the provisions of this section. The records of the
338 Executive Budget Office and the overall budget submitted by it to
339 the Legislature shall clearly identify and set forth all the facts
340 relative to any agency budget request prepared by the director
341 under the authority of this section.

342 **SECTION 13.** The following provision shall be codified as
343 Section 27-103-183, Mississippi Code of 1972:

344 27-103-183. The Director of the Executive Budget Office, in
345 person or by assistant, may visit such state agencies as he deems
346 necessary to obtain information as to the needs or requirements
347 thereof and may hold hearings at such place or places as may be
348 designated for such purpose.

349 **SECTION 14.** The following provision shall be codified as
350 Section 27-103-185, Mississippi Code of 1972:

351 27-103-185. (1) At such regular or special times and on
352 such forms as the Executive Budget Office may require, every tax
353 or fee-collecting or other revenue-producing agency shall furnish
354 the Executive Budget Office with complete and detailed information
355 as to the amount of revenue collected or otherwise received by it
356 during the then current fiscal year, together with an estimate of
357 the revenue that is anticipated for such succeeding periods as the
358 Executive Budget Office may require.

359 (2) At such regular or special times and on such forms as
360 the State Fiscal Officer may require, every tax or fee-collecting
361 or other revenue-producing agency shall furnish the State Fiscal
362 Officer with complete and detailed information as to the amount of
363 revenue collected or otherwise received by it during the then
364 current fiscal year, together with an estimate of the revenue that
365 is anticipated for such succeeding periods as the board may

366 require. The information required to be furnished under this
367 section shall include all revenues from every fee, penalty, tax,
368 assessment or other charge levied, whether authorized by law or
369 not, and shall further include an itemized statement by the agency
370 of the costs of services for which fees are charged, comparing the
371 costs with revenues generated by the fees, and copies of said
372 information shall be furnished to the Legislative Budget Office.

373 (3) The State Fiscal Officer shall review the information so
374 furnished and report to the Legislature any fees which do not
375 appear to be reasonably calculated to recover the costs of
376 services for which such fees are charged, and any fees which are
377 collected without legal authority.

378 **SECTION 15.** The following provision shall be codified as
379 Section 27-103-187, Mississippi Code of 1972:

380 27-103-187. The Executive Budget Office shall hold such
381 hearings as may be necessary to determine the actual budget
382 requirements of the agencies jointly and in conjunction with the
383 Joint Legislative Budget Committee. Such budget hearings shall be
384 coordinated and held at the same time, to the extent that this is
385 practicable. The Executive Budget Office shall have made a
386 sufficient number of copies of its proposed budget in order that
387 the data contained therein will be available to the members of the
388 Legislature for consideration, and to provide a copy for each
389 state agency included in the budget proposal, and shall forward a
390 copy to each member or member-elect of the Legislature and to each
391 state agency on or about December 15 of each year.

392 **SECTION 16.** Section 27-103-101, Mississippi Code of 1972, is
393 amended as follows:

394 27-103-101. (1) There is created the Joint Legislative
395 Budget Committee and the Legislative Budget Office which shall be
396 governed by such committee. The joint committee shall be composed
397 of the following members: The Chairman of the Senate Finance
398 Committee, the President Pro Tempore of the Mississippi State

399 Senate, the Lieutenant Governor of the State of Mississippi, the
400 Chairman of the Senate Appropriations Committee and three (3)
401 members of the Senate to be named by the Lieutenant Governor; the
402 Chairman of the Ways and Means Committee of the House of
403 Representatives, the Chairman of the Appropriations Committee of
404 the House of Representatives, the Speaker of the House of
405 Representatives and four (4) members of the House of
406 Representatives to be named by the Speaker of the House. In the
407 event any ex officio member of the joint committee holds two (2)
408 positions entitling him to membership on the committee, the
409 Lieutenant Governor or the Speaker of the House, as the case may
410 be, shall appoint another member of the respective house to
411 membership on the committee. The chairmanship shall alternate for
412 twelve-month periods between the Speaker of the House of
413 Representatives and the Lieutenant Governor, with the Speaker of
414 the House of Representatives serving as the first chairman. In
415 the absence of the Chairman of the Senate Finance Committee,
416 Senate Appropriations Committee, House Appropriations Committee
417 and Ways and Means Committee, the vice chairman of any such
418 committee shall be entitled to attend; if the vice chairman is
419 unable to attend or if an appointed member is unable to attend,
420 another legislator may be designated to attend by the Lieutenant
421 Governor or the Speaker of the House, as the case may be. If the
422 Lieutenant Governor or Speaker of the House is unable to attend a
423 meeting, he may designate a legislator to substitute for him at
424 that meeting. If the President Pro Tempore of the State Senate is
425 unable to attend a meeting, the Lieutenant Governor shall
426 designate a member of the Senate to substitute for him at that
427 meeting. Any proxy shall have a vote at the meeting he was
428 selected to attend and also shall, when attending, receive
429 compensation and expenses in the same manner and amount as regular
430 members of the joint committee.

431 There shall be no business transacted, including adoption of
432 rules of procedure, without the presence of a quorum of the joint
433 committee. A quorum shall be eight (8) members, to consist of
434 four (4) members from the Senate and four (4) members from the
435 House of Representatives. No action shall be valid unless
436 approved by the majority of those members present and voting,
437 entered upon the minutes of the joint committee and signed by the
438 chairman and vice chairman. All actions of the joint committee
439 shall be approved by at least four (4) Senate members and four (4)
440 House members.

441 As used in Sections 27-103-101 through 27-103-139, the term
442 "committee" shall mean the Joint Legislative Budget Committee.

443 (2) The members of the committee shall receive, in addition
444 to other compensation due them, per diem as is authorized by law
445 for their services in carrying out the duties of the committee
446 and, in addition thereto, shall receive a daily expense allowance
447 equal to the maximum daily expense rate allowable to employees of
448 the federal government for travel in the high rate geographical
449 area of Jackson, Mississippi, as may be established by federal
450 regulations, including mileage as authorized by Section 25-3-41,
451 the same to be paid from the operating budget of the Legislative
452 Budget Office. However, in no case shall the members of the
453 committee draw per diem while the Legislature is in regular or
454 special session.

455 (3) The committee may meet at least once each month; and the
456 chairman or director may call additional meetings at such times as
457 they deem necessary or advisable.

458 (4) The Legislative Budget Office shall, upon the request of
459 a member or member-elect of the Senate or House of
460 Representatives, make available one (1) copy of data, reports,
461 fiscal information or related information submitted to the budget
462 office by any general or special fund agency, whether submitted in

463 support of its budget request or pursuant to any requirement of
464 law or rule of the budget committee or office.

465 (5) All expenses incurred by and on behalf of the committee
466 shall be paid from funds appropriated therefor, or from a sum to
467 be provided in equal portion from the contingency funds of the
468 Senate and House of Representatives or from transfers of funds as
469 provided in Section 7-13-7.

470 **SECTION 17.** Section 27-103-103, Mississippi Code of 1972, is
471 amended as follows:

472 27-103-103. (1) For the purpose of Sections 27-103-101
473 through 27-103-187 and 27-104-1 through 27-104-27, the term "state
474 general-fund agency" or "general-fund agency" shall mean any
475 agency, department, institution, board or commission of the State
476 of Mississippi which is supported in whole or in part by
477 appropriations from the General Fund; but such term shall not
478 include the Legislature.

479 (2) For the purposes of Sections 27-103-101 through
480 27-103-187 and 27-104-1 through 27-104-27, the term "state
481 special-fund agency" or "special-fund agency" shall mean any
482 agency, department, institution, board or commission of the State
483 of Mississippi which receives no appropriation from the General
484 Fund, but which is supported entirely from special-fund sources,
485 by appropriation, or otherwise, but such term shall not include
486 the State Highway Department; nor shall such term include the
487 Mississippi Industries for the Blind.

488 (3) For the purposes of Sections 27-103-101 through
489 27-103-187 and 27-104-1 through 27-104-27, the term "state agency"
490 shall mean any general-fund agency or special-fund agency as
491 defined in this section, or the State Highway Department, or the
492 Division of State Aid Road Construction of the State Highway
493 Department as is evident from the context wherein it is used.

494 (4) For the purposes of Sections 27-103-101 through
495 27-103-187 and 27-104-1 through 27-104-27, the term "special

496 funds" shall mean all revenues and/or income other than
497 appropriations from the State General Fund which are received,
498 collected by, or available for the support of or expenditure by
499 any state general-fund agency or special-fund agency or the State
500 Highway Department or the Division of State Aid Road Construction
501 of the State Highway Department, whether such funds be derived
502 from taxes or fees collected by or for such general-fund agency or
503 special-fund agency or the State Highway Department or the
504 Division of State Aid Road Construction of the State Highway
505 Department, as the case may be, or from any other types of revenue
506 from any other source.

507 (5) For the purposes of Sections 27-103-101 through
508 27-103-187 and 27-104-1 through 27-104-27, the term "special
509 funds" shall include revolving funds and all funds received from
510 the United States Government by any state general-fund agency or
511 special-fund agency, but shall not include any revolving fund
512 established prior to July 1, 1984, for the purpose of paying or
513 retiring any indebtedness as is authorized by statute.

514 **SECTION 18.** This act shall take effect and be in force from
515 and after July 1, 2007.