

By: Representatives Frierson, Huddleston  
(15th), Arnold, Brown, Cockerham, Denny,  
Holland, Ladner, Monsour, Myers, Read,  
Staples, Sullivan, Watson, Sykes

To: Appropriations

HOUSE BILL NO. 1630  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE  
3 EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES'  
4 RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE  
5 RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2017.

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

7 **SECTION 1.** The following sum, or so much thereof as may be  
8 necessary, is appropriated out of any money in the State Treasury  
9 to the credit of the Administrative Expense Account of the Public  
10 Employees' Retirement System for the purpose of defraying the  
11 administrative expenses of the Board of Trustees of the Public  
12 Employees' Retirement System, or out of any money in the State  
13 Treasury to the credit of the Retirement System Building Account  
14 of the Public Employees' Retirement System for the purpose of  
15 maintenance and general operation of the Retirement System  
16 Building, for the fiscal year beginning July 1, 2016, and ending  
17 June 30, 2017.....\$ 14,904,677.00.

18 **SECTION 2.** Of the funds appropriated under the provisions of  
19 Section 1, the following positions are authorized:



20 AUTHORIZED POSITIONS:

21	Permanent:	Full Time.....	168
22		Part Time.....	1
23	Time-Limited:	Full Time.....	0
24		Part Time.....	0

25 With the funds herein appropriated, it shall be the agency's  
26 responsibility to make certain that funds required to be  
27 appropriated for "Personal Services" for Fiscal Year 2018 do not  
28 exceed Fiscal Year 2017 funds appropriated for that purpose,  
29 unless programs or positions are added to the agency's Fiscal Year  
30 2017 budget by the Mississippi Legislature. Based on data  
31 provided by the Legislative Budget Office, the State Personnel  
32 Board shall determine and publish the projected annual cost to  
33 fully fund all appropriated positions in compliance with the  
34 provisions of this act. It shall be the responsibility of the  
35 agency head to ensure that no single personnel action increases  
36 this projected annual cost and/or the Fiscal Year 2017  
37 appropriations for "Personal Services" when annualized, with the  
38 exception of escalated funds and the award of benchmarks. If, at  
39 the time the agency takes any action to change "Personal  
40 Services," the State Personnel Board determines that the agency  
41 has taken an action which would cause the agency to exceed this  
42 projected annual cost or the Fiscal Year 2017 "Personal Services"  
43 appropriated level, when annualized, then only those actions which  
44 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 or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

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.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

**SECTION 3.** It is the intention of the Legislature that the Board of Trustees of the Public Employees' Retirement System shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2016. It is further the intention of



70 the Legislature that the agency's budget request for Fiscal Year  
71 2018 shall be submitted to the Joint Legislative Budget Committee  
72 in a format and level of detail comparable to the format and level  
73 of detail provided during the Fiscal Year 2017 budget request  
74 process.

75       **SECTION 4.** In accordance with the purposes of this article,  
76 there shall be established in the State Treasury the Public  
77 Employees' Retirement System Building Repair and Maintenance Fund,  
78 into which shall be deposited all funds collected as rental income  
79 from the building owned by the system located at 301 North  
80 President Street, Jackson, Mississippi. At the end of each fiscal  
81 year, any and all unexpended funds shall be transferred to the  
82 Administrative Budget Fund of the system.

83       **SECTION 5.** It is the intention of the Legislature that  
84 whenever two (2) or more bids are received by this agency for the  
85 purchase of commodities or equipment, and whenever all things  
86 stated in such received bids are equal with respect to price,  
87 quality and service, the Mississippi Industries for the Blind  
88 shall be given preference. A similar preference shall be given to  
89 the Mississippi Industries for the Blind whenever purchases are  
90 made without competitive bids.

91       **SECTION 6.** In addition to all other sums herein  
92 appropriated, the following sum, or so much thereof as may be  
93 necessary, is appropriated out of any money in the State Treasury  
94 to the credit of the Administrative Expense Account of the Public



Employees' Retirement System, for the purpose of defraying those expenses associated with a replacement computer system, for the fiscal year beginning July 1, 2016, and ending June 30, 2017.....  
.....\$ 3,500,000.00.

**SECTION 7.** The Public Employees' Retirement System is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Public Employees' Retirement System.

**SECTION 8.** Of the funds appropriated under the provisions of Section 1, Three Hundred Twenty-four Thousand Dollars (\$324,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, is provided so that Jackson County and the Jackson County Sheriff's Department ("the Employers") may purchase at actuarial cost from the Public Employees' Retirement System ("System") creditable service for their current and former employees associated with unused, uncompensated leave accrued as of January 1, 2012, as certified to the system by the Employers, which may be in excess of limitations imposed by the Employers' written leave policies. The System will recalculate the retirement allowance of any retired member for whom additional service credit is purchased under this paragraph such that the retired member will receive the benefit to which he or she would have been entitled had the



120 additional creditable service been awarded prior to the date of  
121 retirement. Leave certified to the system pursuant to this  
122 section for which creditable service is purchased and/or awarded  
123 will no longer be available for use by the employee, nor will the  
124 employee be compensated for such leave.

125       **SECTION 9.** It is the intention of the Legislature that the  
126 funds herein appropriated shall be expended in compliance with  
127 Section 27-104-25, Mississippi Code of 1972, that no state agency  
128 shall incur obligations or indebtedness in excess of their  
129 appropriation and that the responsible officers, either personally  
130 or upon their official bonds, shall be held responsible for  
131 actions contrary to this provision.

132       **SECTION 10.** The money herein appropriated shall be paid by  
133 the State Treasurer out of any money in the State Treasury to the  
134 credit of the proper fund or funds as set forth in this act, upon  
135 warrants issued by the State Fiscal Officer; and the State Fiscal  
136 Officer shall issue his warrants upon requisitions signed by the  
137 proper person, officer or officers, in the manner provided by law.

138       **SECTION 11.** This act shall take effect and be in force from  
139 and after July 1, 2016.

