

By: Representatives Frierson, Snowden,  
Banks, Barker, Beckett, Bennett, Clarke,  
Cockerham, Coleman, Gipson, Shows, Watson,  
Sykes

To: Appropriations

## HOUSE BILL NO. 1638

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE  
3 OF MISSISSIPPI FOR THE FISCAL YEAR 2017.

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

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is appropriated out of any money in the special fund in  
7 the State Treasury to the credit of the Office of State Public  
8 Defender of the State of Mississippi for the purpose of defraying  
9 the expenses of the office for the fiscal year beginning  
10 July 1, 2016, and ending June 30, 2017.....\$ 2,802,040.00.

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

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	25
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0



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

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23 act and which are withdrawn and no longer available.

24 **SECTION 3.** It is the intention of the Legislature that the  
25 Office of State Public Defender shall maintain complete accounting  
26 and personnel records related to the expenditure of all funds  
27 appropriated under this act and that such records shall be in the  
28 same format and level of detail as maintained for Fiscal Year  
29 2016. It is further the intention of the Legislature that the  
30 agency's budget request for Fiscal Year 2018 shall be submitted to  
31 the Joint Legislative Budget Committee in a format and level of  
32 detail comparable to the format and level of detail provided  
33 during the Fiscal Year 2017 budget request process.

34 **SECTION 4.** It is the intention of the Legislature that  
35 whenever two (2) or more bids are received by this agency for the  
36 purchase of commodities or equipment, and whenever all things  
37 stated in such received bids are equal with respect to price,  
38 quality and service, the Mississippi Industries for the Blind  
39 shall be given preference. A similar preference shall be given to  
40 the Mississippi Industries for the Blind whenever purchases are  
41 made without competitive bids.



42           **SECTION 5.** It is the intention of the Legislature that the  
43 funds herein appropriated shall be expended in compliance with  
44 Section 27-104-25, Mississippi Code of 1972, that no state agency  
45 shall incur obligations or indebtedness in excess of their  
46 appropriation and that the responsible officers, either personally  
47 or upon their official bonds, shall be held responsible for  
48 actions contrary to this provision.

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

55           **SECTION 7.** This act shall take effect and be in force from  
56 and after July 1, 2016; and shall stand repealed from and after  
57 June 30, 2016.

