

By: Senator(s) Clarke, Dearing

To: Appropriations

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2002

1 AN ACT TO CREATE THE "FINANCIAL AND OPERATIONAL RESPONSES  
2 THAT INVIGORATE FUTURE YEARS ACT (FORTIFY ACT)"; TO AMEND SECTION  
3 27-103-203, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL  
4 NO. 2649, 2017 REGULAR SESSION, TO INCREASE THE CAP ON THE WORKING  
5 CASH-STABILIZATION RESERVE FUND FROM 7.5% TO 10% OF CURRENT FISCAL  
6 YEAR GENERAL FUND APPROPRIATIONS; TO AMEND SECTION 27-103-211,  
7 MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2649, 2017  
8 REGULAR SESSION, TO CLARIFY THAT UNENCUMBERED CASH REMAINING AT  
9 THE END OF A FISCAL YEAR IS NOT INCLUDED WITH THE GENERAL FUND  
10 REVENUE ESTIMATE WHEN DETERMINING THE LIMIT ON THE LEGISLATIVE  
11 GENERAL FUND APPROPRIATION; TO AMEND SECTION 27-103-213,  
12 MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION METHOD OF  
13 UNENCUMBERED CASH BALANCE; TO AMEND SECTION 27-104-13, MISSISSIPPI  
14 CODE OF 1972, TO CLARIFY THAT THE JOINT LEGISLATIVE BUDGET  
15 COMMITTEE ADOPTS THE GENERAL FUND REVENUE ESTIMATE; TO REQUIRE THE  
16 LEGISLATIVE BUDGET OFFICE TO PREPARE A MULTIYEAR FINANCIAL PLAN;  
17 TO AMEND SECTIONS 27-103-125 AND 27-103-139, MISSISSIPPI CODE OF  
18 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED  
19 PURPOSES.

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

21 **SECTION 1.** This act shall be known and may be cited as the  
22 "Financial and Operational Responses That Invigorate Future Years  
23 Act (FORTIFY Act)."

24 **SECTION 2.** Section 27-103-203, Mississippi Code of 1972, as  
25 amended by Senate Bill No. 2649, 2017 Regular Session, is amended  
26 as follows:



27           27-103-203. (1) There is created in the State Treasury a  
28 special fund, separate and apart from any other fund, to be  
29 designated the Working Cash-Stabilization Reserve Fund.

30           (2) The Working Cash-Stabilization Reserve Fund shall not be  
31 considered as a surplus or available funds when adopting a  
32 balanced budget as required by law. The State Treasurer shall  
33 invest all sums in the Working Cash-Stabilization Reserve Fund not  
34 needed for the purposes provided for in this section in  
35 certificates of deposit, repurchase agreements and other  
36 securities as authorized in Section 27-105-33(d) or Section  
37 7-9-103, as the State Treasurer may determine to yield the highest  
38 market rate available. If the Ayers Settlement Fund is created  
39 under Section 37-101-27(5), the first Five Million Dollars  
40 (\$5,000,000.00) of interest earned on those sums each fiscal year  
41 shall be deposited into that fund until a total of Seventy Million  
42 Dollars (\$70,000,000.00) has been deposited into the fund. The  
43 interest, or the remaining interest if the Ayers Settlement Fund  
44 is created, that is earned on those sums shall be deposited in the  
45 Working Cash-Stabilization Reserve Fund until the balance of  
46 principal and interest in the fund reaches \* \* \* ten percent (10%)  
47 of the total General Fund appropriations for the current fiscal  
48 year, and all interest earned in excess of amounts necessary to  
49 maintain the \* \* \* ten percent (10%) fund balance requirement  
50 shall be deposited by the State Treasurer into the State General  
51 Fund.



52 (3) The Working Cash-Stabilization Reserve Fund, except for  
53 Fifteen Million Dollars (\$15,000,000.00) and the amount of the  
54 interest and income earned on the principal of the Ayers Endowment  
55 Trust created by Section 37-101-27, shall be used by the State  
56 Treasurer for cash flow needs throughout the year when the  
57 Executive Director of the Department of Finance and Administration  
58 certifies that in his opinion there will be cash flow deficiencies  
59 in the State General Fund. No borrowing of monies from other  
60 special funds for such purposes as authorized by Section 31-17-101  
61 et seq., shall be made as long as an unencumbered balance in  
62 excess of Fifteen Million Dollars (\$15,000,000.00) and the  
63 interest and income earned on the principal of the Ayers Endowment  
64 Trust created by Section 37-101-27 remains in the fund. The State  
65 Treasurer shall reimburse the fund for all sums borrowed for those  
66 purposes from General Fund revenues collected during the fiscal  
67 year in which those funds are used. The State Treasurer shall  
68 immediately notify the Legislative Budget Office and the State  
69 Department of Finance and Administration of each transfer into and  
70 out of the fund. Fifteen Million Dollars (\$15,000,000.00) in the  
71 Working Cash-Stabilization Reserve Fund shall remain available for  
72 exclusive use of the Ayers Endowment Trust created by Section  
73 37-101-27. If the Ayers Settlement Fund is created under Section  
74 37-101-27(5), beginning when a total of Fifty-five Million Dollars  
75 (\$55,000,000.00) has been deposited into the fund, for each annual  
76 deposit of interest to that fund under subsection (2) of this



77 section, the Ayers Endowment Trust created under Section  
78 37-101-27(1) shall be reduced by an equal amount annually until  
79 the Ayers Endowment Trust reaches Zero Dollars (\$0.00), at which  
80 time any requirements concerning the Ayers Endowment Trust in this  
81 section shall be null and void.

82 (4) The Working Cash-Stabilization Reserve Fund, except for  
83 Forty Million Dollars (\$40,000,000.00), shall also be used for the  
84 purpose of covering any projected deficits that may occur in the  
85 General Fund at the end of a fiscal year as a result of revenue  
86 shortfalls. If the Governor determines that a deficit in revenues  
87 from all sources may occur, it shall be the duty of the Executive  
88 Director of the Department of Finance and Administration to  
89 transfer such funds as necessary to the General Fund to alleviate  
90 the deficit in accordance with Sections 27-104-13 and 31-17-123;  
91 however, not more than Fifty Million Dollars (\$50,000,000.00) may  
92 be transferred from the fund for that purpose in any one (1)  
93 fiscal year with the exception of fiscal year 2016. However, for  
94 fiscal year 2017, not more than One Hundred Million Dollars  
95 (\$100,000,000.00) may be transferred from the fund for that  
96 purpose.

97 (5) The Working Cash-Stabilization Reserve Fund also shall  
98 be used to provide funds for the Disaster Assistance Trust Fund  
99 when those funds are immediately needed to provide for disaster  
100 assistance under Sections 33-15-301 through 33-15-317. Any  
101 transfer of funds from the Working Cash-Stabilization Reserve Fund



102 to the Disaster Assistance Trust Fund shall be made in accordance  
103 with the provisions of subsection (5) of Section 33-15-307.

104 (6) The Department of Finance and Administration shall  
105 immediately send notice of any transfers made, or other action  
106 taken under authority of this section, to the Legislative Budget  
107 Office.

108 (7) Funds deposited in the Working Cash-Stabilization  
109 Reserve Fund shall be used only for the purposes specified in this  
110 section, and as long as the provisions of this section remain in  
111 effect, no other expenditure, appropriation or transfer of funds  
112 in the Working Cash-Stabilization Reserve Fund shall be made  
113 except by act of the Legislature making specific reference to the  
114 Working Cash-Stabilization Reserve Fund as the source of those  
115 funds.

116 (8) Any funds appropriated from the Working  
117 Cash-Stabilization Reserve Fund that are unexpended at the end of  
118 a fiscal year shall lapse into the Working Cash-Stabilization  
119 Reserve Fund.

120 **SECTION 3.** Section 27-103-211, Mississippi Code of 1972, as  
121 amended by Senate Bill No. 2649, 2017 Regular Session, is amended  
122 as follows:

123 27-103-211. The total sum appropriated by the Legislature  
124 from the State General Fund for any fiscal year shall not exceed  
125 ninety-eight percent (98%) of the general fund revenue estimate  
126 for that fiscal year developed by the Department of Revenue and



127 the University Research Center and adopted by the Joint  
128 Legislative Budget Committee \* \* \*. The unencumbered balances in  
129 general funds that will be available and on hand at the close of  
130 the fiscal year shall not include projected amounts required to be  
131 deposited into the Working Cash-Stabilization Reserve Fund under  
132 Section 27-103-203. However, for fiscal years 2010, 2011, 2012,  
133 2015, 2016 and 2017 only, the total sum appropriated by the  
134 Legislature from the State General Fund shall not exceed one  
135 hundred percent (100%) of the amount of the general fund revenue  
136 estimate for that fiscal year, and for fiscal year 2018, the total  
137 sum appropriated by the Legislature from the State General Fund  
138 shall not exceed ninety-nine percent (99%) of the amount of the  
139 general fund revenue estimate adopted by the Joint Legislative  
140 Budget Committee for that fiscal year \* \* \*.

141 **SECTION 4.** Section 27-103-213, Mississippi Code of 1972, is  
142 amended as follows:

143 27-103-213. (1) The unencumbered cash balance in the  
144 General Fund in the State Treasury at the close of each fiscal  
145 year shall be distributed to the Municipal Revolving Fund, the  
146 Working Cash-Stabilization Reserve Fund and the Capital Expense  
147 Fund in the manner provided in this section, except for fiscal  
148 year 2014 in which the unencumbered cash balance at the close of  
149 fiscal year 2014 shall be distributed as provided in subsection  
150 (4) of this section, and fiscal year 2016 in which the



151 unencumbered cash balance at the close of fiscal year 2016 shall  
152 be distributed as provided in subsection (5) of this section.

153 (2) (a) At the end of each fiscal year, the Executive  
154 Director of the Department of Finance and Administration and the  
155 State Treasurer shall determine the extent of the unencumbered  
156 cash balance existing in the General Fund in the State Treasury.

157 (b) As used in this section, the term "unencumbered  
158 cash balance" or "unencumbered General Fund cash balance" means  
159 the amount in the State General Fund after deducting all  
160 appropriations and other expenditures. However, if the  
161 Legislature has authorized additional or deficit appropriations or  
162 transfers from the State General Fund for that fiscal year, those  
163 amounts shall be subtracted from the unencumbered cash balance in  
164 the General Fund before determining the amount available for  
165 distribution. The unencumbered General Fund cash balance shall  
166 not be determined until after August 31 of each year, and it shall  
167 not be made until the State Treasurer has received a certificate  
168 in writing from the Executive Director of the Department of  
169 Finance and Administration, with notification to the Legislative  
170 Budget Office, showing the amount of the unencumbered General Fund  
171 cash balance.

172 (3) If any unencumbered General Fund cash balance is  
173 available for distribution under this section, the distribution of  
174 those funds shall be made by the Executive Director of the  
175 Department of Finance and Administration in the following order:



176 (a) To the Municipal Revolving Fund, an amount equal to  
177 Seven Hundred Fifty Thousand Dollars (\$750,000.00); however, if  
178 the amount of the unencumbered General Fund cash balance is less  
179 than Seven Hundred Fifty Thousand Dollars (\$750,000.00), then the  
180 total amount of the unencumbered General Fund cash balance shall  
181 be distributed to the Municipal Revolving Fund.

182 \* \* \*

183 ( \* \* \*b) To the Working Cash-Stabilization Reserve  
184 Fund, fifty percent (50%) of the amount of the unencumbered  
185 General Fund cash balance after the distributions are made  
186 under \* \* \* paragraph (a), \* \* \* not to exceed \* \* \* ten percent  
187 (10%) of the General Fund appropriations for the fiscal year that  
188 the unencumbered General Fund cash balance represents. For the  
189 purposes of this paragraph ( \* \* \*b), the appropriations for the  
190 fiscal year shall be the total amount contained in the actual  
191 appropriation bills passed by the Legislature.

192 ( \* \* \*c) To the Capital Expense Fund, any remaining  
193 amount of the unencumbered General Fund cash balance after the  
194 distributions are made under paragraphs (a) \* \* \* and (b) \* \* \*.

195 (4) For fiscal year 2014, if any unencumbered General Fund  
196 cash balance is available for distribution under this section at  
197 the close of the fiscal year, the distribution of those funds  
198 shall be made by the Executive Director of the Department of  
199 Finance and Administration in the following order:





200           (a) To the Municipal Revolving Fund, an amount equal to  
201 Seven Hundred Fifty Thousand Dollars (\$750,000.00); however, if  
202 the amount of the unencumbered General Fund cash balance is less  
203 than Seven Hundred Fifty Thousand Dollars (\$750,000.00), then the  
204 total amount of the unencumbered General Fund cash balance shall  
205 be distributed to the Municipal Revolving Fund.

206           (b) To the Working Cash-Stabilization Reserve Fund, the  
207 amount of the unencumbered General Fund cash balance not  
208 distributed under paragraph (a) until such time as the balance in  
209 the fund reaches Forty Million Dollars (\$40,000,000.00).

210           (c) To the Working Cash-Stabilization Reserve Fund, Two  
211 Hundred Eighty-six Million Nine Hundred Fifty-nine Thousand Seven  
212 Hundred Ninety-eight Dollars (\$286,959,798.00) of the amount of  
213 the unencumbered General Fund cash balance after the distributions  
214 are made under paragraphs (a) and (b); however, if the amount of  
215 the unencumbered General Fund cash balance is less than Two  
216 Hundred Eighty-six Million Nine Hundred Fifty-nine Thousand Seven  
217 Hundred Ninety-eight Dollars (\$286,959,798.00), then the total  
218 amount of the unencumbered General Fund cash balance after the  
219 distributions are made under paragraphs (a) and (b) shall be  
220 distributed to the Working Cash-Stabilization Reserve Fund. For  
221 the purposes of this paragraph (c), the appropriations for the  
222 fiscal year shall be the total amount contained in the actual  
223 appropriation bills passed by the Legislature.



224 (d) To the Capital Expense Fund, any remaining amount  
225 of the unencumbered General Fund cash balance after the  
226 distributions are made under paragraphs (a), (b) and (c).

227 (5) For fiscal year 2016, if any unencumbered General Fund  
228 cash balance is available for distribution under this section at  
229 the close of the fiscal year, the distribution of those funds  
230 shall be made by the Executive Director of the Department of  
231 Finance and Administration in the following order:

232 (a) To the Municipal Revolving Fund, an amount equal to  
233 Seven Hundred Fifty Thousand Dollars (\$750,000.00); however, if  
234 the amount of the unencumbered General Fund cash balance is less  
235 than Seven Hundred Fifty Thousand Dollars (\$750,000.00), then the  
236 total amount of the unencumbered General Fund cash balance shall  
237 be distributed to the Municipal Revolving Fund.

238 (b) To the Capital Expense Fund, any remaining amount  
239 of the unencumbered General Fund cash balance after the  
240 distributions are made under paragraph (a).

241 **SECTION 5.** Section 27-104-13, Mississippi Code of 1972, is  
242 amended as follows:

243 27-104-13. (1) The State Fiscal Officer may disapprove or  
244 reduce and revise the estimates of general funds and state-source  
245 special funds for any general fund or special fund agency and for  
246 the "administration and other expenses" budget of the Mississippi  
247 Department of Transportation, in an amount not to exceed five  
248 percent (5%), if at any time he finds that funds will not be



249 available within the period for which the budget is drawn, or if  
250 at any time he finds that the requested expenditures, or any part  
251 thereof, are not authorized by law, and that action shall be  
252 reported to the Legislative Budget Office.

253         The State Fiscal Officer may, upon his determination of need  
254 based upon a finding that funds will not be available within the  
255 period for which the budget is drawn, transfer funds as provided  
256 in Section 27-103-203, from the Working Cash-Stabilization Reserve  
257 Fund to the General Fund to supplement the general fund revenue.

258         If the estimates of general funds and state-source special  
259 funds of all general fund and special fund agencies and of the  
260 "administration and other expenses" budget of the Mississippi  
261 Department of Transportation have been reduced by five percent  
262 (5%), additional reductions may be made, but shall consist of a  
263 uniform percentage reduction of general funds and state-source  
264 special funds to all general fund and special fund agencies and to  
265 the "administration and other expenses" budget of the Mississippi  
266 Department of Transportation.

267         Any state-source special funds reduced under the provisions  
268 of this subsection (1) shall be transferred to the State General  
269 Fund upon requisitions for warrants signed by the respective  
270 agency head, and the transfer shall be made within a reasonable  
271 period to be determined by the State Fiscal Officer.

272         The provisions of this subsection (1) authorizing the State  
273 Fiscal Officer to disapprove or reduce and revise the estimates of



274 general funds and state-source special funds for the  
275 "administration and other expenses" budget of the Mississippi  
276 Department of Transportation shall be suspended during the period  
277 from June 30, 2009, through June 30, 2010.

278 (2) The Department of Revenue and University Research  
279 Center, utilizing all available revenue forecast data, shall  
280 annually develop a general fund revenue estimate to be adopted by  
281 the \* \* \* Joint Legislative Budget Committee as of the date of  
282 sine die adjournment. If, at the end of October, or at the end of  
283 any month thereafter of any fiscal year, the revenues received for  
284 the fiscal year fall below ninety-eight percent (98%) of the \* \* \*  
285 general fund revenue estimate adopted by the Joint Legislative  
286 Budget Committee at the date of sine die adjournment, the State  
287 Fiscal Officer shall reduce allocations of general funds and  
288 state-source special funds to general fund and special fund  
289 agencies and to the "administration and other expenses" budget of  
290 the Mississippi Department of Transportation, in an amount  
291 necessary to keep expenditures within the sum of actual general  
292 fund receipts, including any transfers to the General Fund from  
293 the Working Cash-Stabilization Reserve Fund for the fiscal year.

294 The State Fiscal Officer may, upon his determination of need  
295 based on the revenue shortfall, transfer funds as provided in  
296 Section 27-103-203 from the Working Cash-Stabilization Reserve  
297 Fund to the General Fund to supplement the general fund revenue.  
298 State-source special funds in an amount equal to any reduction



299 made under the provisions of this subsection (2) shall be  
300 transferred to the State General Fund upon requisitions for  
301 warrants signed by the respective agency head, and the transfer  
302 shall be made within a reasonable period to be determined by the  
303 State Fiscal Officer.

304 No agency's allocation shall be reduced in an amount to  
305 exceed five percent (5%); however, if the allocations of general  
306 funds and state-source special funds to all general fund and  
307 special fund agencies and to the "administration and other  
308 expenses" budget of the Mississippi Department of Transportation  
309 have been reduced by five percent (5%), any additional reductions  
310 required to be made under this subsection (2) shall consist of a  
311 uniform percentage reduction of general funds and state-source  
312 special funds to all general fund and special fund agencies and to  
313 the "administration and other expenses" budget of the Mississippi  
314 Department of Transportation. Any receipt from loans authorized  
315 by Sections 31-17-101 through 31-17-123 shall not be included as  
316 revenue receipts.

317 The State Fiscal Officer shall immediately send notice of any  
318 action taken under authority of this subsection (2) to the  
319 Legislative Budget Office.

320 The provisions of this subsection (2) requiring the State  
321 Fiscal Officer to reduce allocations of general funds and  
322 state-source special funds to general fund and special fund  
323 agencies and to the "administration and other expenses" budget of



324 the Mississippi Department of Transportation shall be suspended  
325 during the period from June 30, 2009, through June 30, 2010.

326 (3) For the purpose of this section, the term "state-source  
327 special funds" means any special funds in any agency derived from  
328 any source, but shall not include the following special funds:  
329 special funds derived from federal sources, from local or regional  
330 political subdivisions, from agricultural commodity assessments,  
331 or from donations; special funds derived from additional fees paid  
332 for the issuance of distinctive motor vehicle license tags or  
333 plates authorized under the provisions of Chapter 19, Title 27,  
334 Mississippi Code of 1972; special funds held in a fiduciary  
335 capacity for the benefit of specific persons or classes of  
336 persons; special funds of the Mississippi Veterans Affairs Board  
337 that are paid to the board by the veteran residents of state  
338 veterans homes to fund their monthly expenses at the state  
339 veterans homes; self-generated special funds of the state  
340 institutions of higher learning or the state community or junior  
341 colleges; special funds of Mississippi Industries for the Blind,  
342 the State Port at Gulfport, Yellow Creek Inland Port, Pat Harrison  
343 Waterway District, Pearl River Basin Development District, Pearl  
344 River Valley Water Management District, Tombigbee River Valley  
345 Water Management District, Yellow Creek Watershed Authority, or  
346 Coast Coliseum Commission; special funds of the Department of  
347 Wildlife, Fisheries and Parks and the Department of Marine  
348 Resources derived from the issuance of hunting or fishing



349 licenses; and special funds generated by agencies whose primary  
350 function includes the establishment of standards and the issuance  
351 of licenses for the practice of a profession within the State of  
352 Mississippi.

353 **SECTION 6.** The Legislative Budget Office shall prepare and  
354 include in the proposed budget a multiyear plan for all agencies  
355 included in the proposed budget, for all sources of funding, and  
356 for such program categories as the Legislative Budget Office  
357 identifies. Such plan shall be based on the actual experience of  
358 the immediately preceding three (3) fiscal years, on the approved  
359 current fiscal year budget, and on estimates for at least the four  
360 (4) succeeding fiscal years.

361 **SECTION 7.** Section 27-103-125, Mississippi Code of 1972, as  
362 amended by Senate Bill No. 2649, 2017 Regular Session, is amended  
363 as follows:

364 27-103-125. The proposed budget of each state agency shall  
365 show the amounts required for operating expenses separately from  
366 the amounts required for permanent improvements. The overall  
367 budget shall show, separately by each source, the estimated amount  
368 of general fund revenue and of special fund revenues of general  
369 fund agencies. The total proposed expenditures in Part 1 of the  
370 overall budget shall not exceed the amount of estimated revenues  
371 that will be available in the general and special funds for  
372 appropriation or use during the succeeding fiscal year, including  
373 any balances other than unencumbered balances in general funds



374 that will be on hand in the general and special funds at the close  
375 of the then current fiscal year. The total proposed expenditures  
376 from the State General Fund in Part 1 of the overall budget shall  
377 not exceed ninety-eight percent (98%) of the amount of general  
378 fund revenue estimate for the succeeding fiscal year \* \* \*.  
379 However, for fiscal years 2010, 2011, 2012, 2016 and 2017 only,  
380 the total proposed expenditures from the State General Fund in  
381 Part 1 of the overall budget shall not exceed one hundred percent  
382 (100%) of the amount of the general fund revenue estimate for the  
383 succeeding fiscal year, and for fiscal year 2018, the total  
384 proposed expenditures from the State General Fund in Part 1 of the  
385 overall budget shall not exceed ninety-nine percent (99%) of the  
386 amount of general fund revenue estimate for the succeeding fiscal  
387 year \* \* \*. The general fund revenue estimate shall be the  
388 estimate jointly adopted by the Governor and the Joint Legislative  
389 Budget Committee. \* \* \* The Legislative Budget Office may  
390 recommend additional taxes or sources of revenue if in its  
391 judgment those additional funds are necessary to adequately  
392 support the functions of the state government.

393 **SECTION 8.** Section 27-103-139, Mississippi Code of 1972, as  
394 amended by Senate Bill No. 2649, 2017 Regular Session, is amended  
395 as follows:

396 27-103-139. On or before November 15 preceding each regular  
397 session of the Legislature, except the first regular session of a  
398 new term of office, the Governor shall submit to the members of





399 the Legislature, the Legislative Budget Office or the  
400 members-elect, as the case may be, and to the executive head of  
401 each state agency a balanced budget for the succeeding fiscal  
402 year. The budget submitted shall be prepared in a format that  
403 will include performance measurement data associated with the  
404 various programs operated by each agency. The total proposed  
405 expenditures in the balanced budget shall not exceed the amount of  
406 estimated revenues that will be available for appropriation or use  
407 during the succeeding fiscal year, including any balances other  
408 than unencumbered balances in general funds that will be on hand  
409 at the close of the then current fiscal year, as determined by the  
410 revenue estimate jointly adopted by the Governor and the  
411 Legislative Budget Committee. The total proposed expenditures  
412 from the State General Fund in the balanced budget shall not  
413 exceed ninety-eight percent (98%) of the amount of general fund  
414 revenue estimate for the succeeding fiscal year \* \* \*. However,  
415 for fiscal years 2010, 2011, 2012, 2016 and 2017 only, the total  
416 proposed expenditures from the State General Fund in the balanced  
417 budget shall not exceed one hundred percent (100%) of the amount  
418 of the general fund revenue estimate for the succeeding fiscal  
419 year, and for fiscal year 2018, the total proposed expenditures  
420 from the State General Fund in the balanced budget shall not  
421 exceed ninety-nine percent (99%) of the amount of general fund  
422 revenue estimate for the succeeding fiscal year \* \* \*. The  
423 general fund revenue estimate shall be the estimate jointly



424 adopted by the Governor and the Joint Legislative Budget  
425 Committee. \* \* \*

426         The revenues used in preparing the balanced budget shall be  
427 only those revenues that will be available under the general laws  
428 of the state as they exist when the balanced budget is prepared,  
429 and shall not include any proposed revenues that would become  
430 available only after the enactment of new legislation. If the  
431 Governor has any recommendations for additional proposed  
432 expenditures or proposed revenues that are not included in his  
433 balanced budget, he shall submit those recommendations in a  
434 supplement that is separate from his balanced budget, and whenever  
435 the Governor recommends any such additional proposed expenditures,  
436 he also shall recommend proposed revenues that are sufficient to  
437 fund the additional proposed expenditures, providing specific  
438 details regarding the sources and the total amount of those  
439 proposed revenues.

440         The Governor may employ a budget officer for the purpose of  
441 receiving information from the State Fiscal Officer and preparing  
442 his recommendations on the budget. If the Governor determines  
443 that information received from the State Fiscal Officer is not  
444 sufficient to enable him to prepare his budget recommendations, he  
445 may request an appropriation from the Legislature to provide  
446 additional staff within the Governor's office for that purpose.  
447 At the first regular session after his election for Governor, the  
448 Governor shall submit any budget recommendations plus the required



449 revenue source recommendations no later than January 31 of that  
450 year.

451           **SECTION 9.** This act shall take effect and be in force from  
452 and after July 1, 2017.

