

By: Senator(s) Clarke, Hopson, Burton, Hill, To: Appropriations  
Wilemon

SENATE BILL NO. 2988  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2019.

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

4 **SECTION 1.** The following sum, or so much thereof as may be  
5 necessary, is hereby appropriated out of any money in the State  
6 General Fund not otherwise appropriated, to defray the expenses of  
7 the Department of Finance and Administration for the fiscal year  
8 beginning July 1, 2018, and ending June 30, 2019.....  
9 .....\$ 37,761,385.00.

10 **SECTION 2.** The following sum, or so much thereof as may be  
11 necessary, is hereby appropriated out of any money in the State  
12 Treasury to the credit of the Department of Finance and  
13 Administration for the purpose of defraying the expenses incurred  
14 in the operation of the various offices of the department for the  
15 fiscal year beginning July 1, 2018, and ending June 30, 2019.....  
16 .....\$ 26,183,187.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of  
18 this act, the following positions are authorized:



19 AUTHORIZED POSITIONS:

20	Permanent:	Full Time.....	470
21		Part Time.....	3
22	Time-Limited:	Full Time.....	1
23		Part Time.....	0

24 With the funds herein appropriated, it shall be the agency's  
25 responsibility to make certain that funds required to be  
26 appropriated for "Personal Services" for Fiscal Year 2020 do not  
27 exceed Fiscal Year 2019 funds appropriated for that purpose,  
28 unless programs or positions are added to the agency's Fiscal Year  
29 2019 budget by the Mississippi Legislature. Based on data  
30 provided by the Legislative Budget Office, the State Personnel  
31 Board shall determine and publish the projected annual cost to  
32 fully fund all appropriated positions in compliance with the  
33 provisions of this act. It shall be the responsibility of the  
34 agency head to ensure that no single personnel action increases  
35 this projected annual cost and/or the Fiscal Year 2019  
36 appropriations for "Personal Services" when annualized, with the  
37 exception of escalated funds and the award of benchmarks. If, at  
38 the time the agency takes any action to change "Personal  
39 Services," the State Personnel Board determines that the agency  
40 has taken an action which would cause the agency to exceed this  
41 projected annual cost or the Fiscal Year 2019 "Personal Services"  
42 appropriated level, when annualized, then only those actions which  
43 reduce the projected annual cost and/or the appropriation



44 requirement will be processed by the State Personnel Board until  
45 such time as the requirements of this provision are met.

46 Any transfers or escalations shall be made in accordance with  
47 the terms, conditions and procedures established by law or  
48 allowable under the terms set forth within this act. The State  
49 Personnel Board shall not escalate positions without written  
50 approval from the Department of Finance and Administration. The  
51 Department of Finance and Administration shall not provide written  
52 approval to escalate any funds for salaries and/or positions  
53 without proof of availability of new or additional funds above the  
54 appropriated level.

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

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

63 Provided that a report based on expenditures incurred during  
64 the current and immediate past fiscal years shall be provided to  
65 each regularly scheduled legislative session. This report should  
66 reflect expenditures as a result of the operation of the Robert E.  
67 Lee Building, the Woolfolk State Office Building, the Gartin and  
68 Sillers Buildings, the Capitol Buildings, the Central High School



69 Building, the Robert G. Clark, Jr. Building and other state  
70 buildings, and this report should contain any steps taken to  
71 reduce operating costs.

72 It is also the intention of the Legislature that no  
73 state-owned aircraft shall be utilized by any person except for  
74 official business only.

75 **SECTION 4.** In addition to all other sums herein  
76 appropriated, the following sum, or so much thereof as may be  
77 necessary, is hereby appropriated out of any money in the Tort  
78 Claims Trust Fund not otherwise appropriated, for the purpose of  
79 defraying the expenses of the Tort Claims Board in the  
80 administration of the Tort Claims Act for the fiscal year  
81 beginning July 1, 2018, and ending June 30, 2019.....  
82 .....\$ 6,528,028.00.

83 **SECTION 5.** Of the funds appropriated under the provisions of  
84 this act, the following positions are authorized:

85 AUTHORIZED POSITIONS:

86	Permanent:	Full Time.....	8
87		Part Time.....	0
88	Time-Limited:	Full Time.....	0
89		Part Time.....	0

90 With the funds herein appropriated, it shall be the agency's  
91 responsibility to make certain that funds required to be  
92 appropriated for "Personal Services" for Fiscal Year 2020 do not  
93 exceed Fiscal Year 2019 funds appropriated for that purpose,



94 unless programs or positions are added to the agency's Fiscal Year  
95 2019 budget by the Mississippi Legislature. Based on data  
96 provided by the Legislative Budget Office, the State Personnel  
97 Board shall determine and publish the projected annual cost to  
98 fully fund all appropriated positions in compliance with the  
99 provisions of this act. It shall be the responsibility of the  
100 agency head to ensure that no single personnel action increases  
101 this projected annual cost and/or the Fiscal Year 2019  
102 appropriations for "Personal Services" when annualized, with the  
103 exception of escalated funds and the award of benchmarks. If, at  
104 the time the agency takes any action to change "Personal  
105 Services," the State Personnel Board determines that the agency  
106 has taken an action which would cause the agency to exceed this  
107 projected annual cost or the Fiscal Year 2019 "Personal Services"  
108 appropriated level, when annualized, then only those actions which  
109 reduce the projected annual cost and/or the appropriation  
110 requirement will be processed by the State Personnel Board until  
111 such time as the requirements of this provision are met.

112 Any transfers or escalations shall be made in accordance with  
113 the terms, conditions and procedures established by law or  
114 allowable under the terms set forth within this act. The State  
115 Personnel Board shall not escalate positions without written  
116 approval from the Department of Finance and Administration. The  
117 Department of Finance and Administration shall not provide written  
118 approval to escalate any funds for salaries and/or positions



119 without proof of availability of new or additional funds above the  
120 appropriated level.

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

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

129 **SECTION 6.** The following sum, or so much thereof as may be  
130 necessary, is hereby appropriated out of any money in the State  
131 General Fund not otherwise appropriated, for the purpose of  
132 defraying the expenses of the Mississippi Commission on the Status  
133 of Women for the fiscal year beginning July 1, 2018, and ending  
134 June 30, 2019.....\$ 42,100.00.

135 **SECTION 7.** The following sum, or so much thereof as may be  
136 necessary, is hereby appropriated out of any money in the State  
137 Treasury to the credit of the Mississippi Commission on the Status  
138 of Women for the purpose of defraying the expenses of the  
139 commission for the fiscal year beginning July 1, 2018, and ending  
140 June 30, 2019.....\$ 7,265.00.

141 This appropriation is made for the purpose of providing funds  
142 to defray the expense of the Mississippi Commission on the Status



143 of Women as established pursuant to Sections 43-59-1 through  
144 43-59-14, Mississippi Code of 1972.

145 **SECTION 8.** Of the funds appropriated under the provisions of  
146 Sections 6 and 7, the following positions are authorized:

147 AUTHORIZED POSITIONS:

148	Permanent:	Full Time.....	1
149		Part Time.....	0
150	Time-Limited:	Full Time.....	0
151		Part Time.....	0

152 With the funds herein appropriated, it shall be the agency's  
153 responsibility to make certain that funds required to be  
154 appropriated for "Personal Services" for Fiscal Year 2020 do not  
155 exceed Fiscal Year 2019 funds appropriated for that purpose,  
156 unless programs or positions are added to the agency's Fiscal Year  
157 2019 budget by the Mississippi Legislature. Based on data  
158 provided by the Legislative Budget Office, the State Personnel  
159 Board shall determine and publish the projected annual cost to  
160 fully fund all appropriated positions in compliance with the  
161 provisions of this act. It shall be the responsibility of the  
162 agency head to ensure that no single personnel action increases  
163 this projected annual cost and/or the Fiscal Year 2019  
164 appropriations for "Personal Services" when annualized, with the  
165 exception of escalated funds and the award of benchmarks. If, at  
166 the time the agency takes any action to change "Personal  
167 Services," the State Personnel Board determines that the agency



168 has taken an action which would cause the agency to exceed this  
169 projected annual cost or the Fiscal Year 2019 "Personal Services"  
170 appropriated level, when annualized, then only those actions which  
171 reduce the projected annual cost and/or the appropriation  
172 requirement will be processed by the State Personnel Board until  
173 such time as the requirements of this provision are met.

174 Any transfers or escalations shall be made in accordance with  
175 the terms, conditions and procedures established by law or  
176 allowable under the terms set forth within this act. The State  
177 Personnel Board shall not escalate positions without written  
178 approval from the Department of Finance and Administration. The  
179 Department of Finance and Administration shall not provide written  
180 approval to escalate any funds for salaries and/or positions  
181 without proof of availability of new or additional funds above the  
182 appropriated level.

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

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

191 **SECTION 9.** It is the intention of the Legislature that the  
192 Department of Finance and Administration shall maintain complete





193 accounting and personnel records related to the expenditure of all  
194 funds appropriated under this act and that such records shall be  
195 in the same format and level of detail as maintained for Fiscal  
196 Year 2018. It is further the intention of the Legislature that  
197 the agency's budget request for Fiscal Year 2020 shall be  
198 submitted to the Joint Legislative Budget Committee in a format  
199 and level of detail comparable to the format and level of detail  
200 provided during the Fiscal Year 2019 budget request process.

201       **SECTION 10.** The department is authorized to expend available  
202 funds on technology or equipment upgrades or replacements when it  
203 will generate savings through efficiency or when the savings  
204 generated from such upgrades or replacements exceed expenditures  
205 thereof.

206       **SECTION 11.** It is the intention of the Legislature that  
207 whenever two (2) or more bids are received by this agency for the  
208 purchase of commodities or equipment, and whenever all things  
209 stated in such received bids are equal with respect to price,  
210 quality and service, the Mississippi Industries for the Blind  
211 shall be given preference. A similar preference shall be given to  
212 the Mississippi Industries for the Blind whenever purchases are  
213 made without competitive bids.

214       **SECTION 12.** Of the funds appropriated in Section 1, an  
215 amount not to exceed Four Hundred Thousand Dollars (\$400,000.00)  
216 and ten (10) positions are provided in order to provide the  
217 required Police Protection services for such governmental



218 organizations, under the rules and regulations of the Department  
219 of Finance and Administration.

220         **SECTION 13.** The Bureau of Building, Grounds and Real  
221 Property Management of the Office of General Services is hereby  
222 expressly authorized and empowered to receive, budget and expend  
223 any state, local or other source funds designated for supplemental  
224 funding of construction and/or repairs and renovation projects.  
225 The Bureau of Building, Grounds and Real Property Management of  
226 the Office of General Services shall not use any of the funds  
227 authorized in this section to pay salaries. For the purposes of  
228 this section, the Bureau of Building, Grounds and Real Property  
229 Management of the Office of General Services does not have the  
230 authority to escalate from the Capital Expense Fund or the Working  
231 Cash-Stabilization Reserve Fund.

232         **SECTION 14.** Of the funds appropriated in Section 2, it is  
233 the intention of the Legislature that an amount not to exceed Four  
234 Million Five Hundred Thousand Dollars (\$4,500,000.00) is  
235 authorized to be expended for the purpose of transferring funds to  
236 the Bureau of Building, Grounds and Real Property Management for  
237 the administration of projects for the repair and maintenance of  
238 state-owned buildings.

239         **SECTION 15.** Of the funds appropriated in Section 2, an  
240 amount not to exceed One Hundred Fifty Thousand Dollars  
241 (\$150,000.00) is authorized to be expended for the purpose of  
242 performing the obligations and defraying the expenses relating to



243 the dissolution of the Pearl River Basin Development District as  
244 provided in House Bill 593, 2018 Regular Session.

245       **SECTION 16.** Of the funds appropriated in Section 2, an  
246 amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is  
247 authorized to be expended to defray any shortfall in the Master  
248 Lease Purchase Program as defined in Section 31-7-10, Mississippi  
249 Code of 1972.

250       **SECTION 17.** Of the funds herein appropriated, it is the  
251 intention of the Legislature that two (2) of the allotted  
252 Full-Time Permanent Positions in Section 3 of this bill may be  
253 used for performing related administrative duties of the State  
254 Property Insurance program.

255       **SECTION 18.** The following sum, or so much thereof as may be  
256 necessary, is appropriated out of any money in the State General  
257 Fund not otherwise appropriated, to the Department of Finance and  
258 Administration for the purpose of providing a grant to the  
259 Mississippi Home Corporation, for the fiscal year beginning  
260 July 1, 2018, and ending June 30, 2019..... \$ 1,484,450.00.

261       **SECTION 19.** The funds appropriated herein shall be targeted  
262 to individuals with disabilities or individuals with serious  
263 mental illnesses who:

264       (1) Are being discharged from a state psychiatric hospital  
265 after a stay of more than ninety (90) days; or, nursing facility,  
266 or intermediate care facility for individuals with intellectual  
267 disabilities after a stay of more than ninety (90) days; or



268 (2) Have been discharged from a state psychiatric hospital  
269 within the last two (2) years; and

270 (a) Had multiple hospital visits in the last year due  
271 to mental illness; or

272 (b) Are known to the mental health or state housing  
273 agency to have been arrested or incarcerated in the last year due  
274 to conduct related to mental illness; or

275 (c) Are known to the mental health or state housing  
276 agency to have been homeless for one (1) full year or have had  
277 four (4) or more episodes of homelessness in the last three (3)  
278 years.

279 (3) Lack a fixed, regular, and adequate nighttime residence  
280 and includes a subset for an individual who is exiting an  
281 institution where he or she resided for ninety (90) days or less  
282 and who resides in an emergency shelter or a place not meant for  
283 human habitation immediately before entering that institution.

284 Any funds appropriated herein to hire additional staff or  
285 employ staff shall only be used to implement this housing program.

286 **SECTION 20.** It is the intention of the Legislature that an  
287 annual financial report based upon the state's fiscal year shall  
288 be provided to the Attorney General, the Chairman of Senate  
289 Appropriations, the Chairman of House Appropriations, and the  
290 Legislative Budget Office.

291 **SECTION 21.** It is the intention of the Legislature that none  
292 of the funds appropriated under the provisions of this act for the



293 Mississippi Home Corporation (MHC) shall be expended for the  
294 purpose of making a payment of any kind or for any purpose,  
295 directly or indirectly, to a member of the State of Mississippi  
296 Legislature, state official, MHC board member, or person who has  
297 been a member of the MHC within the last year.

298       **SECTION 22.** Of the funds appropriated in Section 2, Seven  
299 Million Dollars (\$7,000,000.00) shall be expended from the Capitol  
300 Complex Improvement District Project Fund, as established in  
301 Section 29-5-215, Mississippi Code of 1972.

302       **SECTION 23.** It is the intention of the Legislature that the  
303 funds herein appropriated shall be expended in compliance with  
304 Section 27-104-25, Mississippi Code of 1972, that no state agency  
305 shall incur obligations or indebtedness in excess of their  
306 appropriation and that the responsible officers, either personally  
307 or upon their official bonds, shall be held responsible for  
308 actions contrary to this provision.

309       **SECTION 24.** The money herein appropriated shall be paid by  
310 the State Treasurer out of any money in the State Treasury to the  
311 credit of the proper fund or funds as set forth in this act, upon  
312 warrants issued by the State Fiscal Officer; and the State Fiscal  
313 Officer shall issue his warrants upon requisitions signed by the  
314 proper person, officer or officers, in the manner provided by law.

315       **SECTION 25.** This act shall take effect and be in force from  
316 and after July 1, 2018.

