

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

SENATE BILL NO. 2990
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR
3 2019.

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 hereby appropriated out of any funds in the State
7 General Fund not otherwise appropriated, for the purpose of paying
8 salaries and defraying the expenses of the State Department of
9 Audit in making the audits and investigations of public offices of
10 the state and counties as provided by Section 7-7-201 et seq.,
11 Mississippi Code of 1972, for the fiscal year beginning
12 July 1, 2018, and ending June 30, 2019.....\$ 8,544,257.00.

13 **SECTION 2.** The following sum, or so much thereof as may be
14 necessary, is hereby appropriated out of any special funds in the
15 State Treasury to the credit of the State Department of Audit's
16 special fund account for the purpose of paying salaries and
17 defraying the expenses of the State Department of Audit in making
18 the audits and investigations of public offices of the state and



19 counties as provided by Section 7-7-201 et seq., Mississippi Code
20 of 1972, for the fiscal year beginning July 1, 2018, and ending
21 June 30, 2019.....\$ 2,199,085.00.

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

24 AUTHORIZED POSITIONS:

25	Permanent:	Full Time.....	165
26		Part Time.....	3
27	Time-Limited:	Full Time.....	0
28		Part Time.....	0

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



44 Services," the State Personnel Board determines that the agency
45 has taken an action which would cause the agency to exceed this
46 projected annual cost or the Fiscal Year 2019 "Personal Services"
47 appropriated level, when annualized, then only those actions which
48 reduce the projected annual cost and/or the appropriation
49 requirement will be processed by the State Personnel Board until
50 such time as the requirements of this provision are met.

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

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

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



68 **SECTION 4.** In compliance with the "Mississippi Performance
69 Budget and Strategic Planning Act of 1994," it is the intent of
70 the Legislature that the funds provided herein shall be utilized
71 in the most efficient and effective manner possible to achieve the
72 intended mission of this agency. Based on the funding authorized,
73 this agency shall make every effort to attain the targeted
74 performance measures provided below:

	FY2019
<u>Performance Measures</u>	<u>Target</u>
77 Finance & Compliance	
78 County Government Audits (82)	
79 Percentage Audited by CPA Firms (%)	60.00
80 Percentage Audited by OSA (%)	40.00
81 Single Audit Federal Program Coverage	
82 Percentage Audited by CPA Firms (%)	40.00
83 Percentage Audited by OSA (%)	60.00
84 CAFR Opinion Units	
85 General Fund Assets (%)	90.00
86 General Fund Reserves (%)	90.00
87 Technical Assistance	
88 Technical Assistance Inquiries (Number of)	6,100
89 Cost per Technical Assistance	
90 Inquiry (\$)	15.00
91 Customer Satisfaction Rating of 70%	
92 or Higher (%)	75.00



93	Investigations	
94	Recovered Embezzled &/or Misspent	
95	Funds as a Result of Investigations	
96	Conducted by this Office (\$)	200,000.00
97	Recovered Funds as a Percent of Total	
98	Misspent Funds	18.00
99	Performance Audits	
100	Number of Bond Monitoring	
101	Projects (Number of)	6
102	Number of Performance Audit Reports	
103	Completed	10
104	Number of Positive Changes Recommended	
105	in Performance Audits or Bond	
106	Monitoring Reports	50
107	A reporting of the degree to which the performance targets	
108	set above have been or are being achieved shall be provided in the	
109	agency's budget request submitted to the Joint Legislative Budget	
110	Committee for Fiscal Year 2020.	

111 **SECTION 5.** It is the intention of the Legislature that

112 whenever two (2) or more bids are received by this agency for the

113 purchase of commodities or equipment, and whenever all things

114 stated in such received bids are equal with respect to price,

115 quality and service, the Mississippi Industries for the Blind

116 shall be given preference. A similar preference shall be given to



117 the Mississippi Industries for the Blind whenever purchases are
118 made without competitive bids.

119 **SECTION 6.** Of the funds appropriated in Section 2, it is the
120 intention of the Legislature that Thirty Thousand Dollars
121 (\$30,000.00) is provided for the purpose of paying fees for a CPA
122 Review Course for the Office of the State Auditor employees to be
123 reimbursed over a 12-month period by the employee taking the
124 course.

125 **SECTION 7.** Of the funds appropriated under the provisions of
126 Section 2, funds may be expended to defray the costs of clothing
127 for sworn nonuniform law enforcement officers in an amount not to
128 exceed Five Hundred Dollars (\$500.00) annually per officer.

129 **SECTION 8.** It is the intention of the Legislature that the
130 State Auditor is hereby authorized to escalate, budget and expend
131 funds from any source made available to comply with the Single
132 Audit Act of 1984, in an amount not to exceed One Million Eight
133 Hundred Thousand Dollars (\$1,800,000.00), for the purpose of
134 employing staff, paying related expenses, or to engage private
135 accountants, as necessary, to comply with the provisions of the
136 act, in accordance with rules and regulations of the Department of
137 Finance and Administration in a manner consistent with the
138 escalation of federal funds.

139 **SECTION 9.** Of the funds appropriated in Section 2, One
140 Million Dollars (\$1,000,000.00) is provided to defray expenses
141 incurred by the Office of the State Auditor pursuant to the rules



142 and regulations of the United States Department of Justice Federal
143 Equitable Sharing Program. These funds may only be used for law
144 enforcement purposes by the Office of the State Auditor.

145 **SECTION 10.** It is the intention of the Legislature that the
146 State Department of Audit shall maintain complete accounting and
147 personnel records related to the expenditure of all funds
148 appropriated under this act and that such records shall be in the
149 same format and level of detail as maintained for Fiscal Year
150 2018. It is further the intention of the Legislature that the
151 agency's budget request for Fiscal Year 2020 shall be submitted to
152 the Joint Legislative Budget Committee in a format and level of
153 detail comparable to the format and level of detail provided
154 during the Fiscal Year 2019 budget request process.

155 **SECTION 11.** The money herein appropriated shall be paid by
156 the State Treasurer out of any money in the State Treasury to the
157 credit of the proper fund or funds as set forth in this act, upon
158 warrants issued by the State Fiscal Officer; and the State Fiscal
159 Officer shall issue his warrants upon requisitions signed by the
160 proper person, officer or officers in the manner provided by law.

161 **SECTION 12.** This act shall take effect and be in force from
162 and after July 1, 2018.

