

**House Amendments to Senate Bill No. 3048**

**TO THE SECRETARY OF THE SENATE:**

**THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

5           **SECTION 1.** The following sum of money, or so much thereof as  
6 may be necessary, is hereby appropriated out of any money in the  
7 State Treasury to the credit of the State Department of Banking  
8 and Consumer Finance, for the support of the State Department of  
9 Banking and Consumer Finance, for the fiscal year beginning  
10 July 1, 2019, and ending June 30, 2020.....\$     10,864,000.00.

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

13           AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	86
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	0

18           With the funds herein appropriated, it shall be the agency's  
19 responsibility to make certain that funds required to be  
20 appropriated for "Personal Services" for Fiscal Year 2021 do not  
21 exceed Fiscal Year 2020 funds appropriated for that purpose,

22 unless programs or positions are added to the agency's Fiscal Year  
23 2020 budget by the Mississippi Legislature. Based on data  
24 provided by the Legislative Budget Office, the State Personnel  
25 Board shall determine and publish the projected annual cost to  
26 fully fund all appropriated positions in compliance with the  
27 provisions of this act. It shall be the responsibility of the  
28 agency head to ensure that no single personnel action increases  
29 this projected annual cost and/or the Fiscal Year 2020  
30 appropriations for "Personal Services" when annualized, with the  
31 exception of escalated funds and the award of benchmarks. If, at  
32 the time the agency takes any action to change "Personal  
33 Services," the State Personnel Board determines that the agency  
34 has taken an action which would cause the agency to exceed this  
35 projected annual cost or the Fiscal Year 2020 "Personal Services"  
36 appropriated level, when annualized, then only those actions which  
37 reduce the projected annual cost and/or the appropriation  
38 requirement will be processed by the State Personnel Board until  
39 such time as the requirements of this provision are met.

40 Any transfers or escalations shall be made in accordance with  
41 the terms, conditions and procedures established by law or  
42 allowable under the terms set forth within this act. The State  
43 Personnel Board shall not escalate positions without written  
44 approval from the Department of Finance and Administration. The  
45 Department of Finance and Administration shall not provide written  
46 approval to escalate any funds for salaries and/or positions

47 without proof of availability of new or additional funds above the  
48 appropriated level.

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

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

57 **SECTION 3.** It is the intention of the Legislature that the  
58 Department of Banking and Consumer Finance shall maintain complete  
59 accounting and personnel records related to the expenditure of all  
60 funds appropriated under this act and that such records shall be  
61 in the same format and level of detail as maintained for Fiscal  
62 Year 2019. It is further the intention of the Legislature that  
63 the agency's budget request for Fiscal Year 2021 shall be  
64 submitted to the Joint Legislative Budget Committee in a format  
65 and level of detail comparable to the format and level of detail  
66 provided during the Fiscal Year 2020 budget request process.

67 **SECTION 4.** It is the intention of the Legislature that  
68 whenever two (2) or more bids are received by this agency for the  
69 purchase of commodities or equipment, and whenever all things  
70 stated in such received bids are equal with respect to price,  
71 quality and service, the Mississippi Industries for the Blind  
72 shall be given preference. A similar preference shall be given to

73 the Mississippi Industries for the Blind whenever purchases are  
74 made without competitive bids.

75         **SECTION 5.** It is the intention of the Legislature that the  
76 funds herein appropriated shall be expended in compliance with  
77 Section 27-104-25, Mississippi Code of 1972, that no state agency  
78 shall incur obligations or indebtedness in excess of their  
79 appropriation and that the responsible officers, either personally  
80 or upon their official bonds, shall be held responsible for  
81 actions contrary to this provision.

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

88         **SECTION 7.** This act shall take effect and be in force from  
89 and after July 1, 2019, and shall stand repealed June 30, 2019.

HR13\SB3048A.J

Andrew Ketchings  
Clerk of the House of Representatives