

**House Amendments to Senate Bill No. 3051**

**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, 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, 2019, and ending June 30, 2020.....\$       8,573,764.00.

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, 2019, and ending  
21 June 30, 2020.....\$       2,199,282.00.

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 2021 do not  
32 exceed Fiscal Year 2020 funds appropriated for that purpose,  
33 unless programs or positions are added to the agency's Fiscal Year  
34 2020 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 2020  
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 2020 "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:

	FY2020
<u>Performance Measures</u>	<u>Target</u>
77 Finance & Compliance	
78 County Government Audits (82) -	
79 Percentage Audited by CPA Firms (%)	50.00
80 County Government Audits (82) -	
81 Percentage Audited by OSA (%)	50.00
82 Single Audit Federal Program Coverage -	
83 Percentage Audited by CPA Firms (%)	10.00
84 Single Audit Federal Program Coverage -	
85 Percentage Audited by OSA (%)	90.00
86 CAFR Opinion Units - Percentage General	
87 Funds Assets (%)	90.00
88 CAFR Opinion Units - Percentage General	
89 Fund Reserves (%)	90.00
90 Technical Assistance	
91 Technical Assistance Inquiries (Number of)	6,100
92 Cost per Technical Assistance Inquiry (\$)	15.00
93 Customer Satisfaction Rating of 70% or	
94 Higher (%)	75.00
95 Investigations	
96 Recovered Embezzled and/or Misspent	
97 Funds as a Result of Investigations	
98 Conducted by this Office (\$)	200,000.00

99	Recovered Funds as a Percent of Total	
100	Misspent Funds (%)	18.00
101	Performance Audits	
102	Bond Monitoring Projects (Number of)	10
103	Performance Audit Reports Completed	
104	(Number of)	10
105	Positive Changes Recommended in	
106	Performance Audits or Bond Monitoring	
107	Reports (Number of)	25

108 A reporting of the degree to which the performance targets  
109 set above have been or are being achieved shall be provided in the  
110 agency's budget request submitted to the Joint Legislative Budget  
111 Committee for Fiscal Year 2021.

112 **SECTION 5.** It is the intention of the Legislature that  
113 whenever two (2) or more bids are received by this agency for the  
114 purchase of commodities or equipment, and whenever all things  
115 stated in such received bids are equal with respect to price,  
116 quality and service, the Mississippi Industries for the Blind  
117 shall be given preference. A similar preference shall be given to  
118 the Mississippi Industries for the Blind whenever purchases are  
119 made without competitive bids.

120 **SECTION 6.** Of the funds appropriated in Section 2, it is the  
121 intention of the Legislature that Thirty Thousand Dollars  
122 (\$30,000.00) is provided for the purpose of paying fees for a CPA  
123 Review Course for the Office of the State Auditor employees to be

124 reimbursed over a 12-month period by the employee taking the  
125 course.

126         **SECTION 7.** It is the intention of the Legislature that the  
127 State Auditor is hereby authorized to escalate, budget and expend  
128 funds from any source made available to comply with the Single  
129 Audit Act of 1984, in an amount not to exceed One Million Eight  
130 Hundred Thousand Dollars (\$1,800,000.00), for the purpose of  
131 employing staff, paying related expenses, or to engage private  
132 accountants, as necessary, to comply with the provisions of the  
133 act, in accordance with rules and regulations of the Department of  
134 Finance and Administration in a manner consistent with the  
135 escalation of federal funds.

136         **SECTION 8.** Of the funds appropriated in Section 2, One  
137 Million Dollars (\$1,000,000.00) is provided to defray expenses  
138 incurred by the Office of the State Auditor pursuant to the rules  
139 and regulations of the United States Department of Justice Federal  
140 Equitable Sharing Program. These funds may only be used for law  
141 enforcement purposes by the Office of the State Auditor.

142         **SECTION 9.** It is the intention of the Legislature that the  
143 State Department of Audit shall maintain complete accounting and  
144 personnel records related to the expenditure of all funds  
145 appropriated under this act and that such records shall be in the  
146 same format and level of detail as maintained for Fiscal Year  
147 2019. It is further the intention of the Legislature that the  
148 agency's budget request for Fiscal Year 2021 shall be submitted to  
149 the Joint Legislative Budget Committee in a format and level of

150 detail comparable to the format and level of detail provided  
151 during the Fiscal Year 2020 budget request process.

152         **SECTION 10.** The money herein appropriated shall be paid by  
153 the State Treasurer out of any money in the State Treasury to the  
154 credit of the proper fund or funds as set forth in this act, upon  
155 warrants issued by the State Fiscal Officer; and the State Fiscal  
156 Officer shall issue his warrants upon requisitions signed by the  
157 proper person, officer or officers in the manner provided by law.

158         **SECTION 11.** This act shall take effect and be in force from  
159 and after July 1, 2019, and shall stand repealed June 30, 2019.

HR13\SB3051A.J

Andrew Ketchings  
Clerk of the House of Representatives