

By: Senator(s) Hopson, Wiggins, Turner-Ford, Chism, DeLano, Norwood To: Appropriations

SENATE BILL NO. 2958 (As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE
2 EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE
3 ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2021.

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 money in the State
7 Treasury to the credit of the State Board of Architecture and
8 Landscape Architecture Advisory Committee, for the purpose of
9 defraying the expenses incurred by said board for the fiscal year
10 beginning July 1, 2020, and ending June 30, 2021.....
11\$ 354,843.00.

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

14 AUTHORIZED POSITIONS:

Table with 4 rows and 3 columns: Permanent: Full Time (2), Part Time (0), Time-Limited: Full Time (0), Part Time (0)



19 With the funds herein appropriated, it shall be the agency's
20 responsibility to make certain that funds required to be
21 appropriated for "Personal Services" for Fiscal Year 2022 do not
22 exceed Fiscal Year 2021 funds appropriated for that purpose unless
23 programs or positions are added to the agency's Fiscal Year 2021
24 budget by the Mississippi Legislature. Based on data provided by
25 the Legislative Budget Office, the State Personnel Board shall
26 determine and publish the projected annual cost to fully fund all
27 appropriated positions in compliance with the provisions of this
28 act. Absent a special situation or circumstance approved by the
29 State Personnel Board, or unless otherwise authorized by this act,
30 no state agency shall take any action to promote or otherwise
31 award salary increases through reallocation, reclassification, or
32 realignment. If the State Personnel Board determines a special
33 situation or circumstance exists and approves an action, then the
34 agency and the State Personnel Board shall provide a monthly
35 report of each action approved by the State Personnel Board to the
36 Chairmen of the Accountability, Efficiency and Transparency
37 Committees of the Senate and House of Representatives and the
38 Chairmen of the Appropriations Committees of the Senate and House
39 of Representatives. It shall be the responsibility of the agency
40 head to ensure that no single personnel action increases this
41 projected annual cost and/or the Fiscal Year 2021 appropriations
42 for "Personal Services" when annualized, with the exception of
43 escalated funds and the award of benchmarks. If, at the time the



44 agency takes any action to change "Personal Services," the State
45 Personnel Board determines that the agency has taken an action
46 which would cause the agency to exceed this projected annual cost
47 or the Fiscal Year 2021 "Personal Services" appropriated level,
48 when annualized, then only those actions which reduce the
49 projected annual cost and/or the appropriation requirement will be
50 processed by the State Personnel Board until such time as the
51 requirements of this provision are met.

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

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

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



69 **SECTION 3.** It is the intention of the Legislature that the
70 Board of Architecture shall maintain complete accounting and
71 personnel records related to the expenditure of all funds
72 appropriated under this act and that such records shall be in the
73 same format and level of detail as maintained for Fiscal Year
74 2020. It is further the intention of the Legislature that the
75 agency's budget request for Fiscal Year 2022 shall be submitted to
76 the Joint Legislative Budget Committee in a format and level of
77 detail comparable to the format and level of detail provided
78 during the Fiscal Year 2021 budget request process.

79 **SECTION 4.** It is the intention of the Legislature that
80 whenever two (2) or more bids are received by this agency for the
81 purchase of commodities or equipment, and whenever all things
82 stated in such received bids are equal with respect to price,
83 quality and service, the Mississippi Industries for the Blind
84 shall be given preference. A similar preference shall be given to
85 the Mississippi Industries for the Blind whenever purchases are
86 made without competitive bids.

87 **SECTION 5.** It is the intention of the Legislature that the
88 funds herein appropriated shall be expended in compliance with
89 Section 27-104-25, Mississippi Code of 1972, that no state agency
90 shall incur obligations or indebtedness in excess of their
91 appropriation and that the responsible officers, either personally
92 or upon their official bonds, shall be held responsible for
93 actions contrary to this provision.



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

100 **SECTION 7.** This act shall take effect and be in force from
101 and after July 1, 2020.

