

By: Representatives Read, Oliver, Cockerham, To: Appropriations
Hale, Haney, Huddleston, Jackson, Ladner,
Young

HOUSE BILL NO. 1368
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY
4 THERAPISTS FOR THE FISCAL YEAR 2022.

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

6 **SECTION 1.** The following sum, or so much of it as may be
7 necessary, is appropriated out of any money in the special fund in
8 the State Treasury to the credit of the Board of Examiners for
9 Social Workers and Marriage and Family Therapists for the purpose
10 of defraying the expenses of the board for the fiscal year
11 beginning July 1, 2021, and ending June 30, 2022.....
12 \$ 262,519.00.

13 **SECTION 2.** Of the funds appropriated under the provisions of
14 Section 1, the following positions are authorized:

15 AUTHORIZED POSITIONS:

16	Permanent:	Full Time	3
17		Part Time	0
18	Time-Limited:	Full Time	0
19		Part Time	0



20 With the funds herein appropriated, it shall be the agency's
21 responsibility to make certain that funds required to be
22 appropriated for "Personal Services" for Fiscal Year 2023 do not
23 exceed Fiscal Year 2022 funds appropriated for that purpose unless
24 programs or positions are added to the agency's Fiscal Year 2022
25 budget by the Mississippi Legislature. Based on data provided by
26 the Legislative Budget Office, the State Personnel Board shall
27 determine and publish the projected annual cost to fully fund all
28 appropriated positions in compliance with the provisions of this
29 act. Absent a special situation or circumstance approved by the
30 State Personnel Board, or unless otherwise authorized by this act,
31 no state agency shall take any action to promote or otherwise
32 award salary increases through reallocation or realignment. If
33 the State Personnel Board determines a special situation or
34 circumstance exists and approves an action, then the agency and
35 the State Personnel Board shall provide a monthly report of each
36 action approved by the State Personnel Board to the chairmen of
37 the Accountability, Efficiency and Transparency Committees of the
38 Senate and House of Representatives and the chairmen of the
39 Appropriations Committees of the Senate and House of
40 Representatives. It shall be the responsibility of the agency
41 head to ensure that no single personnel action increases this
42 projected annual cost and/or the Fiscal Year 2022 appropriations
43 for "Personal Services" when annualized, with the exception of
44 escalated funds and the award of benchmarks. If, at the time the



45 agency takes any action to change "Personal Services," the State
46 Personnel Board determines that the agency has taken an action
47 which would cause the agency to exceed this projected annual cost
48 or the Fiscal Year 2022 "Personal Services" appropriated level,
49 when annualized, then only those actions which reduce the
50 projected annual cost and/or the appropriation requirement will be
51 processed by the State Personnel Board until such time as the
52 requirements of this provision are met.

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

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

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



70 **SECTION 3.** It is the intention of the Legislature that the
71 Board of Examiners for Social Workers and Marriage and Family
72 Therapists shall maintain complete accounting and personnel
73 records related to the expenditure of all funds appropriated under
74 this act and that such records shall be in the same format and
75 level of detail as maintained for Fiscal Year 2021. It is further
76 the intention of the Legislature that the agency's budget request
77 for Fiscal Year 2023 shall be submitted to the Joint Legislative
78 Budget Committee in a format and level of detail comparable to the
79 format and level of detail provided during the Fiscal Year 2022
80 budget request process.

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

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



or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. Of the funds appropriated under the provisions of Section 1, Twenty Thousand Dollars (\$20,000.00) is provided for the upgrade and maintenance of the Board's Licensing and Regulatory System (LARS) to a CLOUD based system.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2021.

