

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

HOUSE BILL NO. 1372  
(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 STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2022.

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 special  
7 fund in the State Treasury to the credit of the State Board of  
8 Optometry, for the purpose of defraying the expenses of the board  
9 for the fiscal year beginning July 1, 2021, and ending  
10 June 30, 2022 ..... \$ 173,520.00.

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 .....	1
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 2023 do not  
21 exceed Fiscal Year 2022 funds appropriated for that purpose unless  
22 programs or positions are added to the agency's Fiscal Year 2022  
23 budget by the Mississippi Legislature. Based on data provided by  
24 the Legislative Budget Office, the State Personnel Board shall  
25 determine and publish the projected annual cost to fully fund all  
26 appropriated positions in compliance with the provisions of this  
27 act. Absent a special situation or circumstance approved by the  
28 State Personnel Board, or unless otherwise authorized by this act,  
29 no state agency shall take any action to promote or otherwise  
30 award salary increases through reallocation or realignment. If  
31 the State Personnel Board determines a special situation or  
32 circumstance exists and approves an action, then the agency and  
33 the State Personnel Board shall provide a monthly report of each  
34 action approved by the State Personnel Board to the chairmen of  
35 the Accountability, Efficiency and Transparency Committees of the  
36 Senate and House of Representatives and the chairmen of the  
37 Appropriations Committees of the Senate and House of  
38 Representatives. It shall be the responsibility of the agency  
39 head to ensure that no single personnel action increases this  
40 projected annual cost and/or the Fiscal Year 2022 appropriations  
41 for "Personal Services" when annualized, with the exception of  
42 escalated funds and the award of benchmarks. If, at the time the



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



Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

**SECTION 3.** It is the intention of the Legislature that the State Board of Optometry shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2021. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2023 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2022 budget request process.

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

**SECTION 5.** It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their 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 in Section 1, and contingent upon the passage of House Bill No. 1302, Regular Session 2021, Twenty-nine Thousand Five Hundred Dollars (\$29,500.00) is provided for operational expenses relating to the implementation of new practice standards of Optometry.

**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.

