

By: Representatives Read, Huddleston,
Barton, Boyd, Cockerham, Eubanks, Hines,
Hopkins, Oliver, Watson, Young

To: Appropriations

HOUSE BILL NO. 1410
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE
3 EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES'
4 RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE
5 RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2022.

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

7 **SECTION 1.** The following sum, or so much thereof as may be
8 necessary, is appropriated out of any money in the State Treasury
9 to the credit of the Administrative Expense Account of the Public
10 Employees' Retirement System for the purpose of defraying the
11 administrative expenses of the Board of Trustees of the Public
12 Employees' Retirement System, or out of any money in the State
13 Treasury to the credit of the Retirement System Building Account
14 of the Public Employees' Retirement System for the purpose of
15 maintenance and general operation of the Retirement System
16 Building, for the fiscal year beginning July 1, 2021, and ending
17 June 30, 2022 \$ 19,603,302.00.

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



20 AUTHORIZED POSITIONS:

21	Permanent:	Full Time	167
22		Part Time	0
23	Time-Limited:	Full Time	0
24		Part Time	0

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



45 Representatives. It shall be the responsibility of the agency
46 head to ensure that no single personnel action increases this
47 projected annual cost and/or the Fiscal Year 2022 appropriations
48 for "Personal Services" when annualized, with the exception of
49 escalated funds and the award of benchmarks. If, at the time the
50 agency takes any action to change "Personal Services," the State
51 Personnel Board determines that the agency has taken an action
52 which would cause the agency to exceed this projected annual cost
53 or the Fiscal Year 2022 "Personal Services" appropriated level,
54 when annualized, then only those actions which reduce the
55 projected annual cost and/or the appropriation requirement will be
56 processed by the State Personnel Board until such time as the
57 requirements of this provision are met.

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

67 No general funds authorized to be expended herein shall be
68 used to replace federal funds and/or other special funds which are



69 being used for salaries authorized under the provisions of this
70 act and which are withdrawn and no longer available.

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

75 Funds have been appropriated herein for the purpose of
76 implementation and funding Project SEC2 of the Colonel Guy Groff
77 State Variable Compensation Plan beginning January 1, 2022, and
78 ending June 30, 2022. It shall be the agency's responsibility to
79 make certain that each person, excluding executive directors,
80 agency heads, and elected judges, shall receive no more than a 3%
81 annual increase in salary which shall not exceed the market rate
82 established by the State Personnel Board pursuant to the Colonel
83 Guy Groff State Variable Compensation Plan for each
84 classification.

85 **SECTION 3.** It is the intention of the Legislature that the
86 Board of Trustees of the Public Employees' Retirement System shall
87 maintain complete accounting and personnel records related to the
88 expenditure of all funds appropriated under this act and that such
89 records shall be in the same format and level of detail as
90 maintained for Fiscal Year 2021. It is further the intention of
91 the Legislature that the agency's budget request for Fiscal Year
92 2023 shall be submitted to the Joint Legislative Budget Committee
93 in a format and level of detail comparable to the format and level



94 of detail provided during the Fiscal Year 2022 budget request
95 process.

96 **SECTION 4.** In accordance with the purposes of this article,
97 there shall be established in the State Treasury the Public
98 Employees' Retirement System Building Repair and Maintenance Fund,
99 into which shall be deposited all funds collected as rental income
100 from the building owned by the system located at 301 North
101 President Street, Jackson, Mississippi. At the end of each fiscal
102 year, any and all unexpended funds shall be transferred to the
103 Administrative Budget Fund of the system.

104 **SECTION 5.** It is the intention of the Legislature that
105 whenever two (2) or more bids are received by this agency for the
106 purchase of commodities or equipment, and whenever all things
107 stated in such received bids are equal with respect to price,
108 quality and service, the Mississippi Industries for the Blind
109 shall be given preference. A similar preference shall be given to
110 the Mississippi Industries for the Blind whenever purchases are
111 made without competitive bids.

112 **SECTION 6.** Of the funds appropriated in Section 1, no more
113 than Three Million Five Hundred Thirty-eight Thousand Dollars
114 (\$3,538,000.00) is provided for the purpose of defraying those
115 expenses associated with the replacement computer system.

116 **SECTION 7.** The Public Employees' Retirement System is
117 further authorized, in its discretion, to expend funds for the



118 purchase of service pins for employees of the Public Employees'
119 Retirement System.

120 **SECTION 8.** Of the funds appropriated in Section 1, no more
121 than Three Hundred Thousand Dollars (\$300,000.00) is provided,
122 only for the explicit purpose of building maintenance and repair.

123 **SECTION 9.** It is the intention of the Legislature that the
124 funds herein appropriated shall be expended in compliance with
125 Section 27-104-25, Mississippi Code of 1972, that no state agency
126 shall incur obligations or indebtedness in excess of their
127 appropriation and that the responsible officers, either personally
128 or upon their official bonds, shall be held responsible for
129 actions contrary to this provision.

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

136 **SECTION 11.** This act shall take effect and be in force from
137 and after July 1, 2021.

