

By: Senator(s) Hopson, Polk, Blackwell,  
Frazier, Williams

To: Appropriations

SENATE BILL NO. 2954  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2022.

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

4 **SECTION 1.** The following sum of money, or so much thereof as  
5 may be necessary, is hereby appropriated out of any money in the  
6 special fund in the State Treasury to the credit of the State  
7 Treasurer's office which are collected by or otherwise become  
8 available, to defray the expenses of the Office of the State  
9 Treasurer for the fiscal year beginning July 1, 2021, and ending  
10 June 30, 2022 ..... \$ 5,713,711.00.

11 **SECTION 2.** Of the funds appropriated in Section 1, the  
12 following positions are authorized:

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time .....	42
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.



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

78 **SECTION 3.** In addition to all other sums herein  
79 appropriated, the following sum, or so much thereof as may be  
80 necessary, is hereby appropriated out of any money in the State  
81 Treasury to the credit of the Education Improvement Trust Fund No.  
82 3219 for the purpose of investing funds for the fiscal year  
83 beginning July 1, 2021, and ending June 30, 2022.....  
84 ..... \$ 150,000.00.

85 **SECTION 4.** In addition to all other sums herein  
86 appropriated, the following sum, or so much thereof as may be  
87 necessary, is hereby appropriated out of any money in the State  
88 Treasury to the credit of the Mississippi Prepaid Affordable  
89 College Tuition Trust Fund for the purpose of paying all amounts  
90 due for prepaid tuition contracts of the Mississippi Prepaid  
91 Affordable College Tuition Program, for the fiscal year beginning  
92 July 1, 2021, and ending June 30, 2022..... \$ 35,000,000.00.



93           It is the intention of the Legislature that the State  
94   Treasurer is hereby authorized to accept, budget and expend an  
95   amount not to exceed One Million Dollars (\$1,000,000.00) from any  
96   funds authorized for the Mississippi Prepaid Affordable College  
97   Tuition Program, for paying amounts due for prepaid tuition  
98   contracts of the Mississippi Prepaid Affordable College Tuition  
99   Program. Such funds shall be escalated in accordance with the  
100   rules and regulations of the Department of Finance and  
101   Administration in a manner consistent with the escalation of  
102   federal funds.

103           **SECTION 5.** No part of the funds appropriated herein shall be  
104   used in the payment of attorney's fees, nor shall any of said  
105   funds be used either directly or indirectly, for the purpose of  
106   paying any clerk, stenographer, assistant, deputy or other person  
107   who may be related by blood or marriage within the third degree,  
108   computed by the rules of the civil law, to the official employing  
109   or having the right of employment or selection thereof; and in the  
110   event of any such payment, then the official or person approving  
111   and making or receiving such payment shall be jointly and  
112   severally liable to return to the State of Mississippi and to pay  
113   into the State Treasury three (3) times any such amount so paid or  
114   received, to be recovered at suit of the Attorney General;  
115   provided that when the relationship is by affinity and the person  
116   through whom the relationship was established is dead, this  
117   provision shall not apply.



118           **SECTION 6.** It is the intention of the Legislature that the  
119 Office of the State Treasurer shall maintain complete accounting  
120 and personnel records related to the expenditure of all funds  
121 appropriated under the provisions of this act and that such  
122 records shall be in the same format and level of details as  
123 maintained for Fiscal Year 2021. It is further the intention of  
124 the Legislature that the budget request for Fiscal Year 2023 shall  
125 be submitted to the Joint Legislative Budget Committee in a format  
126 and level of detail comparable to the format and level of detail  
127 provided during the Fiscal Year 2022 budget request process.

128           **SECTION 7.** It is the intention of the Legislature that  
129 whenever two (2) or more bids are received by this agency for the  
130 purchase of commodities or equipment, and whenever all things  
131 stated in such received bids are equal with respect to price,  
132 quality and service, the Mississippi Industries for the Blind  
133 shall be given preference. A similar preference shall be given to  
134 the Mississippi Industries for the Blind whenever purchases are  
135 made without competitive bids.

136           **SECTION 8.** Of the funds appropriated to the State Treasury  
137 under the provisions of Section 1, the following amounts shall be  
138 available for expenditure in the following program budgets:

139	(a)	Mississippi Prepaid Affordable College Tuition	
140	program .....	\$	1,854,655.00.
141	(b)	Mississippi Affordable College Savings	
142	program .....	\$	177,860.00.



143                   (c)   Treasury Office - Support  
144 programs ..... \$       3,267,827.00.

145           Further, no funds to the credit of the Mississippi Prepaid  
146 Affordable College Tuition Administrative Fund shall be expended  
147 for purposes related to any program other than the Mississippi  
148 Prepaid Affordable College Tuition program.

149           **SECTION 9.** The money herein appropriated shall be paid by  
150 the State Treasurer out of any money in the State Treasury to the  
151 credit of the proper fund or funds as set forth in this act, upon  
152 warrants issued by the State Fiscal Officer; and the State Fiscal  
153 Officer shall issue his warrants upon requisitions signed by the  
154 proper person, officer or officers in the manner provided by law.

155           **SECTION 10.** This act shall take effect and be in force from  
156 and after July 1, 2021.

