

**House Amendments to Senate Bill No. 2952**

**TO THE SECRETARY OF THE SENATE:**

**THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:**

**AMENDMENT NO. 1**

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

4           **SECTION 1.** The following sum, or so much thereof as may be  
5 necessary, is hereby appropriated out of any money in the State  
6 General Fund not otherwise appropriated, for the support and  
7 maintenance of the State Personnel Board for the fiscal year  
8 beginning July 1, 2021, and ending June 30, 2022.....  
9 .....\$           3,958,976.00.

10           **SECTION 2.** Of the funds appropriated under the provisions of  
11 this act, the following positions are authorized:

12           AUTHORIZED POSITIONS:

13	Permanent:	Full Time.....	39
14		Part Time.....	1
15	Time-Limited:	Full Time.....	0
16		Part Time.....	0

17           With the funds herein appropriated, it shall be the agency's  
18 responsibility to make certain that funds required to be  
19 appropriated for "Personal Services" for Fiscal Year 2023 do not  
20 exceed Fiscal Year 2022 funds appropriated for that purpose unless

21 programs or positions are added to the agency's Fiscal Year 2022  
22 budget by the Mississippi Legislature. Based on data provided by  
23 the Legislative Budget Office, the State Personnel Board shall  
24 determine and publish the projected annual cost to fully fund all  
25 appropriated positions in compliance with the provisions of this  
26 act. Absent a special situation or circumstance approved by the  
27 State Personnel Board, or unless otherwise authorized by this act,  
28 no state agency shall take any action to promote or otherwise  
29 award salary increases through reallocation or realignment. If  
30 the State Personnel Board determines a special situation or  
31 circumstance exists and approves an action, then the agency and  
32 the State Personnel Board shall provide a monthly report of each  
33 action approved by the State Personnel Board to the chairmen of  
34 the Accountability, Efficiency and Transparency Committees of the  
35 Senate and House of Representatives and the chairmen of the  
36 Appropriations Committees of the Senate and House of  
37 Representatives. It shall be the responsibility of the agency  
38 head to ensure that no single personnel action increases this  
39 projected annual cost and/or the Fiscal Year 2022 appropriations  
40 for "Personal Services" when annualized, with the exception of  
41 escalated funds and the award of benchmarks. If, at the time the  
42 agency takes any action to change "Personal Services," the State  
43 Personnel Board determines that the agency has taken an action  
44 which would cause the agency to exceed this projected annual cost  
45 or the Fiscal Year 2022 "Personal Services" appropriated level,  
46 when annualized, then only those actions which reduce the

47 projected annual cost and/or the appropriation requirement will be  
48 processed by the State Personnel Board until such time as the  
49 requirements of this provision are met.

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

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

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

67 **SECTION 3.** None of the funds appropriated under the  
68 provisions of Section 1 of this act may be expended until the  
69 State Personnel Board, based on data provided by the Legislative  
70 Budget Office, determines and publishes the projected annual cost  
71 to fully fund all appropriated positions for all agencies with  
72 compliance language in their appropriation bills.

73           **SECTION 4.** It is the intention of the Legislature that the  
74 State Personnel Board shall maintain complete accounting and  
75 personnel records related to the expenditure of all funds  
76 appropriated under this act and that such records shall be in the  
77 same format and level of detail as maintained for Fiscal Year  
78 2021. It is further the intention of the Legislature that the  
79 agency's budget request for Fiscal Year 2023 shall be submitted to  
80 the Joint Legislative Budget Committee in a format and level of  
81 detail comparable to the format and level of detail provided  
82 during the Fiscal Year 2022 budget request process.

83           **SECTION 5.** It is the intention of the Legislature that  
84 whenever two (2) or more bids are received by this agency for the  
85 purchase of commodities or equipment, and whenever all things  
86 stated in such received bids are equal with respect to price,  
87 quality and service, the Mississippi Industries for the Blind  
88 shall be given preference. A similar preference shall be given to  
89 the Mississippi Industries for the Blind whenever purchases are  
90 made without competitive bids.

91           **SECTION 6.** It is the intention of the Legislature that the  
92 funds herein appropriated shall be expended in compliance with  
93 Section 27-104-25, Mississippi Code of 1972, that no state agency  
94 shall incur obligations or indebtedness in excess of their  
95 appropriation and that the responsible officers, either personally  
96 or upon their official bonds, shall be held responsible for  
97 actions contrary to this provision.

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

104           **SECTION 8.** This act shall take effect and be in force from  
105 and after July 1, 2021, and shall stand repealed from and after  
106 June 29, 2021.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 STATE PERSONNEL BOARD FOR FISCAL YEAR 2022.

HR13\SB2952A.J

Andrew Ketchings  
Clerk of the House of Representatives