

House Amendments to Senate Bill No. 2954

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 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.....\$ 5,300,342.00.

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

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	37
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 **SECTION 3.** In addition to all other sums herein
69 appropriated, the following sum, or so much thereof as may be
70 necessary, is hereby appropriated out of any money in the State
71 Treasury to the credit of the Education Improvement Trust Fund No.

72 3219 for the purpose of investing funds for the fiscal year
73 beginning July 1, 2021, and ending June 30, 2022.....
74\$ 150,000.00.

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

83 It is the intention of the Legislature that the State
84 Treasurer is hereby authorized to accept, budget and expend an
85 amount not to exceed One Million Dollars (\$1,000,000.00) from any
86 funds authorized for the Mississippi Prepaid Affordable College
87 Tuition Program, for paying amounts due for prepaid tuition
88 contracts of the Mississippi Prepaid Affordable College Tuition
89 Program. Such funds shall be escalated in accordance with the
90 rules and regulations of the Department of Finance and
91 Administration in a manner consistent with the escalation of
92 federal funds.

93 **SECTION 5.** No part of the funds appropriated herein shall be
94 used in the payment of attorney's fees, nor shall any of said
95 funds be used either directly or indirectly, for the purpose of
96 paying any clerk, stenographer, assistant, deputy or other person
97 who may be related by blood or marriage within the third degree,

98 computed by the rules of the civil law, to the official employing
99 or having the right of employment or selection thereof; and in the
100 event of any such payment, then the official or person approving
101 and making or receiving such payment shall be jointly and
102 severally liable to return to the State of Mississippi and to pay
103 into the State Treasury three (3) times any such amount so paid or
104 received, to be recovered at suit of the Attorney General;
105 provided that when the relationship is by affinity and the person
106 through whom the relationship was established is dead, this
107 provision shall not apply.

108 **SECTION 6.** It is the intention of the Legislature that the
109 Office of the State Treasurer shall maintain complete accounting
110 and personnel records related to the expenditure of all funds
111 appropriated under the provisions of this act and that such
112 records shall be in the same format and level of details as
113 maintained for Fiscal Year 2021. It is further the intention of
114 the Legislature that the budget request for Fiscal Year 2023 shall
115 be submitted to the Joint Legislative Budget Committee in a format
116 and level of detail comparable to the format and level of detail
117 provided during the Fiscal Year 2022 budget request process.

118 **SECTION 7.** It is the intention of the Legislature that
119 whenever two (2) or more bids are received by this agency for the
120 purchase of commodities or equipment, and whenever all things
121 stated in such received bids are equal with respect to price,
122 quality and service, the Mississippi Industries for the Blind
123 shall be given preference. A similar preference shall be given to

124 the Mississippi Industries for the Blind whenever purchases are
125 made without competitive bids.

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

129 (a) Mississippi Prepaid Affordable College Tuition
130 program.....\$ 1,854,655.00.

131 (b) Mississippi Affordable College Savings
132 program.....\$ 177,860.00.

133 (c) Treasury Office - Support
134 programs.....\$ 3,267,827.00.

135 Further, no funds to the credit of the Mississippi Prepaid
136 Affordable College Tuition Administrative Fund shall be expended
137 for purposes related to any program other than the Mississippi
138 Prepaid Affordable College Tuition program.

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

145 **SECTION 10.** This act shall take effect and be in force from
146 and after July 1, 2021, and shall stand repealed from and after
147 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 TREASURER'S OFFICE FOR FISCAL YEAR 2022.

HR13\SB2954A.J

Andrew Ketchings
Clerk of the House of Representatives