



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

49 when annualized, then only those actions which reduce the  
50 projected annual cost and/or the appropriation requirement will be  
51 processed by the State Personnel Board until such time as the  
52 requirements of this provision are met.

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

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

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

70 **SECTION 3.** It is the intention of the Legislature that the  
71 Board of Examiners for Social Workers and Marriage and Family  
72 Therapists shall maintain complete accounting and personnel  
73 records related to the expenditure of all funds appropriated under  
74 this act and that such records shall be in the same format and

75 level of detail as maintained for Fiscal Year 2021. It is further  
76 the intention of the Legislature that the agency's budget request  
77 for Fiscal Year 2023 shall be submitted to the Joint Legislative  
78 Budget Committee in a format and level of detail comparable to the  
79 format and level of detail provided during the Fiscal Year 2022  
80 budget request process.

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

89         **SECTION 5.** It is the intention of the Legislature that the  
90 funds herein appropriated shall be expended in compliance with  
91 Section 27-104-25, Mississippi Code of 1972, that no state agency  
92 shall incur obligations or indebtedness in excess of their  
93 appropriation and that the responsible officers, either personally  
94 or upon their official bonds, shall be held responsible for  
95 actions contrary to this provision.

96         **SECTION 6.** Of the funds appropriated under the provisions of  
97 Section 1, Twenty Thousand Dollars (\$20,000.00) is provided for  
98 the upgrade and maintenance of the Board's Licensing and  
99 Regulatory System (LARS) to a CLOUD based system.

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

106           **SECTION 8.** This act shall take effect and be in force from  
107 and after July 1, 2021.

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

1           AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
3 BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY  
4 THERAPISTS FOR THE FISCAL YEAR 2022.

SS15\HB1368A.J

Eugene S. Clarke  
Secretary of the Senate