

By: Representative White

To: Appropriations

## HOUSE BILL NO. 1252

1 AN ACT TO AMEND SECTION 7-9-5, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE THE STATE TREASURER TO COMPENSATE STATE TREASURY  
3 EMPLOYEES AT THE SAME TIER OR PLAN RATE APPROVED BY THE STATE  
4 PERSONNEL BOARD FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION  
5 AND THE DEPARTMENT OF REVENUE; TO AMEND SECTION 25-3-39,  
6 MISSISSIPPI CODE OF 1972, WHICH RELATES TO COMPENSATION FOR PUBLIC  
7 OFFICERS AND PUBLIC EMPLOYEES, TO CONFORM TO THE PRECEDING  
8 PROVISIONS; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 7-9-5, Mississippi Code of 1972, is  
11 amended as follows:

12 7-9-5. The State Treasurer shall be entitled to a  
13 bookkeeper, a chief clerk, a bond clerk, and a stenographer to  
14 assist him in the discharge of the duties of his office; and he  
15 may appoint a deputy who shall possess all the powers and may  
16 perform any of the duties of the Treasurer. If a deputy treasurer  
17 be appointed, he shall also perform all the duties of the chief  
18 clerk and shall receive the salary of such clerk, and thereafter  
19 no chief clerk shall be employed. The bond of the said deputy  
20 shall be One Hundred Thousand Dollars (\$100,000.00), and the  
21 premium thereon shall be paid as other premiums of state officers.



22       The State Treasurer may compensate State Treasury employees  
23       at the same tier or plan rate approved by the State Personnel  
24       Board for the Department of Finance and Administration and the  
25       Department of Revenue, and shall be exempt from the provisions of  
26       Section 25-3-39.

27       **SECTION 2.** Section 25-3-39, Mississippi Code of 1972, is  
28       amended as follows:

29       25-3-39. (1) (a) Except as otherwise provided in Section  
30       7-9-5, and in this section, no public officer, public employee,  
31       administrator, or executive head of any arm or agency of the  
32       state, in the executive branch of government, shall be paid a  
33       salary or compensation, directly or indirectly, greater than one  
34       hundred fifty percent (150%) of the salary fixed in Section  
35       25-3-31 for the Governor, nor shall the salary of any public  
36       officer, public employee, administrator, or executive head of any  
37       arm or agency of the state, in the executive branch of government,  
38       be supplemented with any funds from any source, including federal  
39       or private funds. Such salaries shall be completely paid by the  
40       state. All academic officials, members of the teaching staffs and  
41       employees of the state institutions of higher learning, the  
42       Mississippi Community College Board, and community and junior  
43       colleges, and licensed physicians who are public employees, shall  
44       be exempt from this subsection. All professional employees who  
45       hold a bachelor's degree or more advanced degree from an  
46       accredited four-year college or university or a certificate or



license issued by a state licensing board, commission or agency and who are employed by the Department of Mental Health shall be exempt from this subsection if the State Personnel Board approves the exemption. The Commissioner of Child Protection Services is exempt from this subsection. From and after July 1, 2018, the Executive Director of the Public Employees' Retirement System and the Chief Investment Officer of the Public Employees' Retirement System shall be exempt from this subsection.

(b) The Governor shall fix the annual salary of the Executive Director of the Mississippi Development Authority, the annual salary of the Commissioner of Child Protection Services, and the annual salary of the Chief of Staff of the Governor's Office. The salary of the Governor's Chief of Staff shall not be greater than one hundred fifty percent (150%) of the salary of the Governor and shall be completely paid by the state without supplementation from another source. The salary of the Executive Director of the Mississippi Development Authority may be greater than one hundred fifty percent (150%) of the salary of the Governor and may be supplemented with funds from any source, including federal or private funds; however, any state funds used to pay the salary of the Executive Director of the Mississippi Development Authority shall not exceed one hundred fifty percent (150%) of the salary of the Governor. If the executive director's salary is supplemented with private funds, the Mississippi



Development Authority shall publish on its website the amount of the supplement and the name of the donor of the private funds.

(2) Except as otherwise provided in Section 7-9-5, no public officer, employee or administrator shall be paid a salary or compensation, directly or indirectly, in excess of the salary authorized to be paid the executive head of the state agency or department in which he is employed. The State Personnel Board, based upon its findings of fact, may exempt physicians and actuaries from this subsection when the acquisition of such professional services is precluded based on the prevailing wage in the relevant labor market.

(3) The executive head of any state agency or department appointed by the Governor, in such executive head's discretion, may waive all or any portion of the salary or compensation lawfully established for the position.

**SECTION 3.** This act shall take effect and be in force from and after its passage.

