

By: Representatives Read, Oliver, Bounds,
Busby, Cockerham, Hale, Haney, Hines,
Huddleston, Jackson, Ladner, Turner, Watson,
Young

To: Appropriations

HOUSE BILL NO. 1596

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 MISSISSIPPI REAL ESTATE COMMISSION AND MISSISSIPPI REAL ESTATE
4 APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2023.

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

6 **SECTION 1.** The following sum, or so much thereof as may be
7 necessary, is appropriated out of any money in the State Treasury
8 to the credit of the Real Estate License Fund, for the purpose of
9 defraying the expenses of the Mississippi Real Estate Commission
10 for the fiscal year beginning July 1, 2022, and ending
11 June 30, 2023 \$ 1,696,634.00.

12 **SECTION 2.** Of the funds appropriated under the provisions of
13 Section 1, the following positions are authorized for the
14 Mississippi Real Estate Commission:

15 AUTHORIZED POSITIONS:

16	Permanent:	Full Time	16
17		Part Time	0
18	Time-Limited:	Full Time	0
19		Part Time	0



20 With the funds herein appropriated, it shall be the agency's
21 responsibility to make certain that funds required for "Personal
22 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023
23 funds appropriated for that purpose unless programs or positions
24 are added to the agency's Fiscal Year 2023 budget by the
25 Mississippi Legislature. The Legislature shall determine the
26 agency's personal services appropriation, which shall be published
27 by the State Personnel Board. Additionally, the State Personnel
28 Board shall determine and publish the projected annualized payroll
29 costs based on current employees. It shall be the responsibility
30 of the agency head to ensure that actual personnel expenditures
31 for Fiscal Year 2023 do not exceed the data provided by the
32 Legislative Budget Office. If the agency's Fiscal Year 2023
33 projected cost exceeds the annualized costs, no salary actions
34 shall be processed by the State Personnel Board with the exception
35 of new hires that are determined to be essential for the agency.

36 Any transfers or escalations shall be made in accordance with
37 the terms, conditions and procedures established by law or
38 allowable under the terms set forth within this act. The State
39 Personnel Board shall not escalate positions without written
40 approval from the Department of Finance and Administration. The
41 Department of Finance and Administration shall not provide written
42 approval to escalate any funds for salaries and/or positions
43 without proof of availability of new or additional funds above the
44 appropriated level.



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

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

53 Funds have been appropriated herein for the purpose of
54 funding Project SEC2 minimum salaries for all employees covered
55 under the Colonel Guy Groff/Neville Kenning Variable Compensation
56 Plan. It shall be the agency's responsibility to ensure that the
57 funds are used to increase all employees' salaries up to the
58 minimum level as determined by the State Personnel Board.

59 **SECTION 3.** The following sum, or so much thereof as may be
60 necessary, is appropriated out of any money in the State Treasury
61 to the credit of the Real Estate Appraisal License Fund, for the
62 purpose of defraying the expenses of the Mississippi Real Estate
63 Appraiser Licensing and Certification Board for the fiscal year
64 beginning July 1, 2022, and ending June 30, 2023.....
65\$ 416,490.00.

66 **SECTION 4.** Of the funds appropriated under the provisions of
67 Section 3, the following positions are authorized for the
68 Mississippi Real Estate Appraiser Licensing and Certification
69 Board:



70 AUTHORIZED POSITIONS:

71	Permanent:	Full Time	4
72		Part Time	0
73	Time-Limited:	Full Time	0
74		Part Time	0

75 With the funds herein appropriated, it shall be the agency's
76 responsibility to make certain that funds required for "Personal
77 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023
78 funds appropriated for that purpose unless programs or positions
79 are added to the agency's Fiscal Year 2023 budget by the
80 Mississippi Legislature. The Legislature shall determine the
81 agency's personal services appropriation, which shall be published
82 by the State Personnel Board. Additionally, the State Personnel
83 Board shall determine and publish the projected annualized payroll
84 costs based on current employees. It shall be the responsibility
85 of the agency head to ensure that actual personnel expenditures
86 for Fiscal Year 2023 do not exceed the data provided by the
87 Legislative Budget Office. If the agency's Fiscal Year 2023
88 projected cost exceeds the annualized costs, no salary actions
89 shall be processed by the State Personnel Board with the exception
90 of new hires that are determined to be essential for the agency.

91 Any transfers or escalations shall be made in accordance with
92 the terms, conditions and procedures established by law or
93 allowable under the terms set forth within this act. The State
94 Personnel Board shall not escalate positions without written



95 approval from the Department of Finance and Administration. The
96 Department of Finance and Administration shall not provide written
97 approval to escalate any funds for salaries and/or positions
98 without proof of availability of new or additional funds above the
99 appropriated level.

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

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

108 Funds have been appropriated herein for the purpose of
109 funding Project SEC2 minimum salaries for all employees covered
110 under the Colonel Guy Groff/Neville Kenning Variable Compensation
111 Plan. It shall be the agency's responsibility to ensure that the
112 funds are used to increase all employees' salaries up to the
113 minimum level as determined by the State Personnel Board.

114 **SECTION 5.** It is the intention of the Legislature that the
115 Mississippi Real Estate Commission and the Real Estate Appraiser
116 Licensing and Certification Board shall maintain complete
117 accounting and personnel records related to the expenditure of all
118 funds appropriated under this act and that such records shall be
119 in the same format and level of detail as maintained for Fiscal



120 Year 2022. It is further the intention of the Legislature that
121 the agency's budget request for Fiscal Year 2024 shall be
122 submitted to the Joint Legislative Budget Committee in a format
123 and level of detail comparable to the format and level of detail
124 provided during the Fiscal Year 2024 budget request process.

125 **SECTION 6.** It is the intention of the Legislature that
126 whenever two (2) or more bids are received by this agency for the
127 purchase of commodities or equipment, and whenever all things
128 stated in such received bids are equal with respect to price,
129 quality and service, the Mississippi Industries for the Blind
130 shall be given preference. A similar preference shall be given to
131 the Mississippi Industries for the Blind whenever purchases are
132 made without competitive bids.

133 **SECTION 7.** It is the intention of the Legislature that the
134 funds herein appropriated shall be expended in compliance with
135 Section 27-104-25, Mississippi Code of 1972, that no state agency
136 shall incur obligations or indebtedness in excess of their
137 appropriation and that the responsible officers, either personally
138 or upon their official bonds, shall be held responsible for
139 actions contrary to this provision.

140 **SECTION 8.** The money herein appropriated shall be paid by
141 the State Treasurer out of any money in the State Treasury to the
142 credit of the proper fund or funds as set forth in this act, upon
143 warrants issued by the State Fiscal Officer; and the State Fiscal



144 Officer shall issue his warrants upon requisitions signed by the
145 proper person, officer or officers, in the manner provided by law.

146 **SECTION 9.** This act shall take effect and be in force from
147 and after July 1, 2022, and shall stand repealed June 30, 2022.

