

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

To: Appropriations

HOUSE BILL NO. 1596
(As Sent to Governor)

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.....\$ 1,751,368.00.

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 HEADCOUNT:

16 Permanent: 16
17 Time-Limited: 0

18 With the funds herein appropriated, it shall be the agency's
19 responsibility to make certain that funds required for Personal



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

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

43 No general funds authorized to be expended herein shall be
44 used to replace federal funds and/or other special funds which are



45 being used for salaries authorized under the provisions of this
46 act and which are withdrawn and no longer available.

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

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

57 **SECTION 3.** The following sum, or so much thereof as may be
58 necessary, is appropriated out of any money in the State Treasury
59 to the credit of the Real Estate Appraisal License Fund, for the
60 purpose of defraying the expenses of the Mississippi Real Estate
61 Appraiser Licensing and Certification Board for the fiscal year
62 beginning July 1, 2022, and ending June 30, 2023.....
63\$ 460,579.00.

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

68 AUTHORIZED HEADCOUNT:

69 Permanent: 4



70 Time-Limited: 0

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

87 Any transfers or escalations shall be made in accordance with
88 the terms, conditions and procedures established by law or
89 allowable under the terms set forth within this act. The State
90 Personnel Board shall not escalate positions without written
91 approval from the Department of Finance and Administration. The
92 Department of Finance and Administration shall not provide written
93 approval to escalate any funds for salaries and/or positions



94 without proof of availability of new or additional funds above the
95 appropriated level.

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

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

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

110 **SECTION 5.** It is the intention of the Legislature that the
111 Mississippi Real Estate Commission and the Real Estate Appraiser
112 Licensing and Certification Board shall maintain complete
113 accounting and personnel records related to the expenditure of all
114 funds appropriated under this act and that such records shall be
115 in the same format and level of detail as maintained for Fiscal
116 Year 2022. It is further the intention of the Legislature that
117 the agency's budget request for Fiscal Year 2024 shall be
118 submitted to the Joint Legislative Budget Committee in a format



119 and level of detail comparable to the format and level of detail
120 provided during the Fiscal Year 2024 budget request process.

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

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

136 **SECTION 8.** The money herein appropriated shall be paid by
137 the State Treasurer out of any money in the State Treasury to the
138 credit of the proper fund or funds as set forth in this act, upon
139 warrants issued by the State Fiscal Officer; and the State Fiscal
140 Officer shall issue his warrants upon requisitions signed by the
141 proper person, officer or officers, in the manner provided by law.

142 **SECTION 9.** This act shall take effect and be in force from
143 and after July 1, 2022.

