

By: Senator(s) Hopson, Polk, Blackwell,
Simmons (13th), Williams

To: Appropriations

SENATE BILL NO. 3043
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR
3 2023.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is hereby appropriated out of any funds in the State
7 General Fund not otherwise appropriated, for the purpose of paying
8 salaries and defraying the expenses of the State Department of
9 Audit in making the audits and investigations of public offices of
10 the state and counties as provided by Section 7-7-201 et seq.,
11 Mississippi Code of 1972, for the fiscal year beginning
12 July 1, 2022, and ending June 30, 2023.....\$ 8,848,242.00.

13 **SECTION 2.** The following sum, or so much thereof as may be
14 necessary, is hereby appropriated out of any special funds in the
15 State Treasury to the credit of the State Department of Audit's
16 special fund account for the purpose of paying salaries and
17 defraying the expenses of the State Department of Audit in making
18 the audits and investigations of public offices of the state and



19 counties as provided by Section 7-7-201 et seq., Mississippi Code
20 of 1972, for the fiscal year beginning July 1, 2022, and ending
21 June 30, 2023.....\$ 4,428,761.00.

22 **SECTION 3.** Of the funds appropriated under the provisions of
23 this act, the following positions are authorized:

24 AUTHORIZED HEADCOUNT:

25 Permanent: 164

26 Time-Limited: 0

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



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

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

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

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

66 **SECTION 4.** In compliance with the "Mississippi Performance
67 Budget and Strategic Planning Act of 1994," it is the intent of



68 the Legislature that the funds provided herein shall be utilized
 69 in the most efficient and effective manner possible to achieve the
 70 intended mission of this agency. Based on the funding authorized,
 71 this agency shall make every effort to attain the targeted
 72 performance measures provided below:

	FY2023
<u>Performance Measures</u>	<u>Target</u>
75 Finance & Compliance	
76 County Government Audits - Percent	
77 Audited by CPA Firms	65.00
78 County Government Audits - Percent	
79 Audited by OSA	35.00
80 Single Audit Federal Program Coverage -	
81 Percent Audited by CPA Firms	25.00
82 Single Audit Federal Program Coverage -	
83 Percent Audited by OSA	75.00
84 ACFR Opinion Units - Percent General	
85 Fund Assets	75.00
86 ACFR Opinion Units - Percent General	
87 Fund Reserves	75.00
88 Technical Assistance	
89 Number of Technical Assistance Inquiries	6,200
90 Cost per Technical Assistance Inquiry	15.00
91 Percent Customer Satisfaction Rating of	
92 70% or Higher	75.00



93	Investigations	
94	Recovered Embezzled and/or Misspent	
95	Funds as a Result of Investigations	
96	Conducted by this Office (\$)	600,000.00
97	Recovered Funds as a Percent of Total	
98	Misspent Funds	18.00
99	Performance Audits	
100	Number of Performance Audit Reports	
101	Completed	10
102	Number of Positive Changes Recommended	
103	in Performance Audits or Bond Monitoring	
104	Reports	25
105	A reporting of the degree to which the performance targets	
106	set above have been or are being achieved shall be provided in the	
107	agency's budget request submitted to the Joint Legislative Budget	
108	Committee for Fiscal Year 2024.	

109 **SECTION 5.** It is the intention of the Legislature that
110 whenever two (2) or more bids are received by this agency for the
111 purchase of commodities or equipment, and whenever all things
112 stated in such received bids are equal with respect to price,
113 quality and service, the Mississippi Industries for the Blind
114 shall be given preference. A similar preference shall be given to
115 the Mississippi Industries for the Blind whenever purchases are
116 made without competitive bids.



117 **SECTION 6.** Of the funds appropriated in Section 2 of this
118 act, it is the intention of the Legislature that Thirty Thousand
119 Dollars (\$30,000.00) is provided for the purpose of paying fees
120 for a CPA Review Course for the Office of the State Auditor's
121 employees to be reimbursed over a 12-month period by the employee
122 taking the course.

123 **SECTION 7.** It is the intention of the Legislature that the
124 State Auditor is hereby authorized to escalate, budget and expend
125 funds from any source made available to comply with the Single
126 Audit Act of 1984 for the purpose of employing staff, paying
127 related expenses, or to engage private accountants, as necessary,
128 to comply with the provisions of the act, in accordance with rules
129 and regulations of the Department of Finance and Administration in
130 a manner consistent with the escalation of federal funds.

131 **SECTION 8.** No more than One Million Dollars (\$1,000,000.00)
132 may be provided to defray expenses incurred by the Office of the
133 State Auditor pursuant to the rules and regulations of the United
134 States Department of Justice Federal Equitable Sharing Program.
135 These funds may only be used for nonbudgeted law enforcement
136 purposes by the Office of the State Auditor.

137 **SECTION 9.** It is the intention of the Legislature that the
138 State Department of Audit shall maintain complete accounting and
139 personnel records related to the expenditure of all funds
140 appropriated under this act and that such records shall be in the
141 same format and level of detail as maintained for Fiscal Year



142 2022. It is further the intention of the Legislature that the
143 agency's budget request for Fiscal Year 2024 shall be submitted to
144 the Joint Legislative Budget Committee in a format and level of
145 detail comparable to the format and level of detail provided
146 during the Fiscal Year 2023 budget request process.

147 **SECTION 10.** Of the funds appropriated in Section 2 of this
148 act, it is the intention of the Legislature that Two hundred
149 Thousand Dollars (\$200,000.00) is provided for the purpose of the
150 Accountancy Fellowship Program as provided by Section 7-7-204, et
151 seq., Mississippi Code of 1972.

152 **SECTION 11.** Of the funds appropriated under the provisions
153 of Section 2 of this act, One Hundred Thousand Dollars
154 (\$100,000.00), or so much thereof, shall be derived out of any
155 money in the State Treasury to the credit of the Capital Expense
156 Fund, as created in Section 27-103-303, Mississippi Code of 1972,
157 and allocated in a manner as determined by the Treasurer's Office.
158 These funds are provided for IT equipment expenditures.

159 **SECTION 12.** The money herein appropriated shall be paid by
160 the State Treasurer out of any money in the State Treasury to the
161 credit of the proper fund or funds as set forth in this act, upon
162 warrants issued by the State Fiscal Officer; and the State Fiscal
163 Officer shall issue his warrants upon requisitions signed by the
164 proper person, officer or officers in the manner provided by law.

165 **SECTION 13.** This act shall take effect and be in force from
166 and after July 1, 2022.

