

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

To: Appropriations

SENATE BILL NO. 3044

1 AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE  
2 SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE  
3 FOR FISCAL YEAR 2023.

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

5 **SECTION 1.** The following sum of money, or so much thereof as  
6 may be necessary, is hereby appropriated out of any money in the  
7 State Treasury to the credit of the State Department of Banking  
8 and Consumer Finance, for the support of the State Department of  
9 Banking and Consumer Finance, for the fiscal year beginning  
10 July 1, 2022, and ending June 30, 2023.....\$ 10,628,279.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of  
12 this act, the following positions are authorized:

13 AUTHORIZED POSITIONS:

14	Permanent:	Full Time.....	78
15		Part Time.....	0
16	Time-Limited:	Full Time.....	0
17		Part Time.....	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  
21 funds appropriated for that purpose unless programs or positions  
22 are added to the agency's Fiscal Year 2023 budget by the  
23 Mississippi Legislature. The Legislature shall determine the  
24 agency's personal services appropriation, which shall be published  
25 by the State Personnel Board. Additionally, the State Personnel  
26 Board shall determine and publish the projected annualized payroll  
27 costs based on current employees. It shall be the responsibility  
28 of the agency head to ensure that actual personnel expenditures  
29 for 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.** It is the intention of the Legislature that the  
58 Department of Banking and Consumer Finance shall maintain complete  
59 accounting and personnel records related to the expenditure of all  
60 funds appropriated under this act and that such records shall be  
61 in the same format and level of detail as maintained for Fiscal  
62 Year 2022. It is further the intention of the Legislature that  
63 the agency's budget request for Fiscal Year 2024 shall be  
64 submitted to the Joint Legislative Budget Committee in a format  
65 and level of detail comparable to the format and level of detail  
66 provided during the Fiscal Year 2023 budget request process.



67           **SECTION 4.** It is the intention of the Legislature that  
68 whenever two (2) or more bids are received by this agency for the  
69 purchase of commodities or equipment, and whenever all things  
70 stated in such received bids are equal with respect to price,  
71 quality and service, the Mississippi Industries for the Blind  
72 shall be given preference. A similar preference shall be given to  
73 the Mississippi Industries for the Blind whenever purchases are  
74 made without competitive bids.

75           **SECTION 5.** It is the intention of the Legislature that the  
76 funds herein appropriated shall be expended in compliance with  
77 Section 27-104-25, Mississippi Code of 1972, that no state agency  
78 shall incur obligations or indebtedness in excess of their  
79 appropriation and that the responsible officers, either personally  
80 or upon their official bonds, shall be held responsible for  
81 actions contrary to this provision.

82           **SECTION 6.** The money herein appropriated shall be paid by  
83 the State Treasurer out of any money in the State Treasury to the  
84 credit of the proper fund or funds as set forth in this act, upon  
85 warrants issued by the State Fiscal Officer; and the State Fiscal  
86 Officer shall issue his warrants upon requisitions signed by the  
87 proper person, officer or officers in the manner provided by law.

88           **SECTION 7.** This act shall take effect and be in force from  
89 and after July 1, 2022, and shall stand repealed from and after  
90 June 30, 2022.

