

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

To: Appropriations

SENATE BILL NO. 3044
(As Sent to Governor)

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.....\$ 12,029,003.00.

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

13 AUTHORIZED HEADCOUNT:

14 Permanent: 90

15 Time-Limited: 0

16 With the funds herein appropriated, it shall be the agency's
17 responsibility to make certain that funds required for Personal
18 Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds



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

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

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



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44 act and which are withdrawn and no longer available.

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

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

55 **SECTION 3.** It is the intention of the Legislature that the
56 Department of Banking and Consumer Finance shall maintain complete
57 accounting and personnel records related to the expenditure of all
58 funds appropriated under this act and that such records shall be
59 in the same format and level of detail as maintained for Fiscal
60 Year 2022. It is further the intention of the Legislature that
61 the agency's budget request for Fiscal Year 2024 shall be
62 submitted to the Joint Legislative Budget Committee in a format
63 and level of detail comparable to the format and level of detail
64 provided during the Fiscal Year 2023 budget request process.

65 **SECTION 4.** It is the intention of the Legislature that
66 whenever two (2) or more bids are received by this agency for the
67 purchase of commodities or equipment, and whenever all things



68 stated in such received bids are equal with respect to price,
69 quality and service, the Mississippi Industries for the Blind
70 shall be given preference. A similar preference shall be given to
71 the Mississippi Industries for the Blind whenever purchases are
72 made without competitive bids.

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

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

86 **SECTION 7.** This act shall take effect and be in force from
87 and after July 1, 2022.

