

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

To: Appropriations

SENATE BILL NO. 3051

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 STATE PERSONNEL BOARD FOR FISCAL YEAR 2023.

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

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, for the support and
7 maintenance of the State Personnel Board for the fiscal year
8 beginning July 1, 2022, and ending June 30, 2023.....
9 \$ 4,074,385.00.

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

12 AUTHORIZED POSITIONS:

13	Permanent:	Full Time	40
14		Part Time	0
15	Time-Limited:	Full Time	0
16		Part Time	0

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



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

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

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



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

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

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

56 **SECTION 3.** None of the funds appropriated under the
57 provisions of Section 1 of this act may be expended until the
58 State Personnel Board, based on data provided by the Legislative
59 Budget Office, determines and publishes the projected annual cost
60 to fully fund all appropriated positions for all agencies with
61 compliance language in their appropriation bills.

62 **SECTION 4.** It is the intention of the Legislature that the
63 State Personnel Board shall maintain complete accounting and
64 personnel records related to the expenditure of all funds
65 appropriated under this act and that such records shall be in the
66 same format and level of detail as maintained for Fiscal Year
67 2022. It is further the intention of the Legislature that the
68 agency's budget request for Fiscal Year 2024 shall be submitted to



69 the Joint Legislative Budget Committee in a format and level of
70 detail comparable to the format and level of detail provided
71 during the Fiscal Year 2023 budget request process.

72 **SECTION 5.** It is the intention of the Legislature that
73 whenever two (2) or more bids are received by this agency for the
74 purchase of commodities or equipment, and whenever all things
75 stated in such received bids are equal with respect to price,
76 quality and service, the Mississippi Industries for the Blind
77 shall be given preference. A similar preference shall be given to
78 the Mississippi Industries for the Blind whenever purchases are
79 made without competitive bids.

80 **SECTION 6.** It is the intention of the Legislature that the
81 funds herein appropriated shall be expended in compliance with
82 Section 27-104-25, Mississippi Code of 1972, that no state agency
83 shall incur obligations or indebtedness in excess of their
84 appropriation and that the responsible officers, either personally
85 or upon their official bonds, shall be held responsible for
86 actions contrary to this provision.

87 **SECTION 7.** The money herein appropriated shall be paid by
88 the State Treasurer out of any money in the State Treasury to the
89 credit of the proper fund or funds as set forth in this act, upon
90 warrants issued by the State Fiscal Officer, and the State Fiscal
91 Officer shall issue his warrants upon requisitions signed by the
92 proper person, officer or officers in the manner provided by law.



93 **SECTION 8.** This act shall take effect and be in force from
94 and after July 1, 2022, and shall stand repealed from and after
95 June 30, 2022.

