

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

To: Appropriations

SENATE BILL NO. 3051
(As Sent to Governor)

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\$ 4,647,880.00.

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

12 AUTHORIZED HEADCOUNT:

13 Permanent: 43

14 Time-Limited: 0

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



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

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

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43 act and which are withdrawn and no longer available.



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

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

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

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



68 detail comparable to the format and level of detail provided
69 during the Fiscal Year 2023 budget request process.

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

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

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

91 **SECTION 8.** This act shall take effect and be in force from
92 and after July 1, 2022.

