

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

To: Appropriations

SENATE BILL NO. 3053  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2023.

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

4 **SECTION 1.** The following sum of money, or so much thereof as  
5 may be necessary, is hereby appropriated out of any money in the  
6 special fund in the State Treasury to the credit of the State  
7 Treasurer's office which are collected by or otherwise become  
8 available, to defray the expenses of the Office of the State  
9 Treasurer for the fiscal year beginning July 1, 2022, and ending  
10 June 30, 2023.....\$ 5,763,259.00.

11 **SECTION 2.** Of the funds appropriated in Section 1 of this  
12 act, the following positions are authorized:

13 AUTHORIZED HEADCOUNT:

14 Permanent: 42  
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.** In addition to all other sums herein  
56 appropriated, the following sum, or so much thereof as may be  
57 necessary, is hereby appropriated out of any money in the State  
58 Treasury to the credit of the Education Improvement Trust Fund No.  
59 3219 for the purpose of investing funds for the fiscal year  
60 beginning July 1, 2022, and ending June 30, 2023.....  
61 .....\$ 150,000.00.

62 **SECTION 4.** In addition to all other sums herein  
63 appropriated, the following sum, or so much thereof as may be  
64 necessary, is hereby appropriated out of any money in the State  
65 Treasury to the credit of the Mississippi Prepaid Affordable  
66 College Tuition Trust Fund for the purpose of paying all amounts  
67 due for prepaid tuition contracts of the Mississippi Prepaid



68 Affordable College Tuition Program, for the fiscal year beginning  
69 July 1, 2022, and ending June 30, 2023.....\$ 35,000,000.00.

70 It is the intention of the Legislature that the State  
71 Treasurer is hereby authorized to accept, budget and expend an  
72 amount not to exceed One Million Dollars (\$1,000,000.00) from any  
73 funds authorized for the Mississippi Prepaid Affordable College  
74 Tuition Program, for paying amounts due for prepaid tuition  
75 contracts of the Mississippi Prepaid Affordable College Tuition  
76 Program. Such funds shall be escalated in accordance with the  
77 rules and regulations of the Department of Finance and  
78 Administration in a manner consistent with the escalation of  
79 federal funds.

80 **SECTION 5.** No part of the funds appropriated herein shall be  
81 used in the payment of attorney's fees, nor shall any of said  
82 funds be used either directly or indirectly, for the purpose of  
83 paying any clerk, stenographer, assistant, deputy or other person  
84 who may be related by blood or marriage within the third degree,  
85 computed by the rules of the civil law, to the official employing  
86 or having the right of employment or selection thereof; and in the  
87 event of any such payment, then the official or person approving  
88 and making or receiving such payment shall be jointly and  
89 severally liable to return to the State of Mississippi and to pay  
90 into the State Treasury three (3) times any such amount so paid or  
91 received, to be recovered at suit of the Attorney General;  
92 provided that when the relationship is by affinity and the person



93 through whom the relationship was established is dead, this  
94 provision shall not apply.

95       **SECTION 6.** It is the intention of the Legislature that the  
96 Office of the State Treasurer shall maintain complete accounting  
97 and personnel records related to the expenditure of all funds  
98 appropriated under the provisions of this act and that such  
99 records shall be in the same format and level of details as  
100 maintained for Fiscal Year 2022. It is further the intention of  
101 the Legislature that the budget request for Fiscal Year 2024 shall  
102 be submitted to the Joint Legislative Budget Committee in a format  
103 and level of detail comparable to the format and level of detail  
104 provided during the Fiscal Year 2023 budget request process.

105       **SECTION 7.** It is the intention of the Legislature that  
106 whenever two (2) or more bids are received by this agency for the  
107 purchase of commodities or equipment, and whenever all things  
108 stated in such received bids are equal with respect to price,  
109 quality and service, the Mississippi Industries for the Blind  
110 shall be given preference. A similar preference shall be given to  
111 the Mississippi Industries for the Blind whenever purchases are  
112 made without competitive bids.

113       **SECTION 8.** Of the funds appropriated to the State Treasury  
114 under the provisions of Section 1, the following amounts shall be  
115 available for expenditure in the following program budgets:

116           (a) Mississippi Prepaid Affordable College Tuition  
117 program.....\$       1,854,655.00.



118 (b) Mississippi Affordable College Savings  
 119 program.....\$ 177,860.00.  
 120 (c) Treasury Office - Support  
 121 programs.....\$ 3,730,744.00.

122 Further, no funds to the credit of the Mississippi Prepaid  
 123 Affordable College Tuition Administrative Fund shall be expended  
 124 for purposes related to any program other than the Mississippi  
 125 Prepaid Affordable College Tuition program.

126 **SECTION 9.** The money herein appropriated shall be paid by  
 127 the State Treasurer out of any money in the State Treasury to the  
 128 credit of the proper fund or funds as set forth in this act, upon  
 129 warrants issued by the State Fiscal Officer; and the State Fiscal  
 130 Officer shall issue his warrants upon requisitions signed by the  
 131 proper person, officer or officers in the manner provided by law.

132 **SECTION 10.** This act shall take effect and be in force from  
 133 and after July 1, 2022.

