

By: Representative Carpenter

To: Accountability,
Efficiency, Transparency;
Appropriations

HOUSE BILL NO. 1033

1 AN ACT TO AMEND SECTION 7-7-3, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE ADMINISTRATOR OF THE MISSISSIPPI MANAGEMENT AND
3 REPORTING SYSTEM REVOLVING FUND TO SUBMIT AN ANNUAL REPORT OF
4 PURCHASING NEEDS TO THE CHAIRS OF THE HOUSE AND SENATE
5 APPROPRIATIONS AND ACCOUNTABILITY, EFFICIENCY AND TRANSPARENCY
6 COMMITTEES; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 7-7-3, Mississippi Code of 1972, is
9 amended as follows:

10 7-7-3. (1) There is * * * established a General Accounting
11 Office for the State of Mississippi, the powers and duties
12 of * * * the office to be performed by the Bureau of Budget and
13 Fiscal Management under the administration of the State Fiscal
14 Officer.

15 (2) The Chief of the Fiscal Management Division, under the
16 supervision of the State Fiscal Officer, shall prescribe and
17 implement in the office of each state agency an adequate accrual
18 accounting system, in conformity with generally accepted
19 accounting principles, and a system for keeping other essential
20 financial records or, in lieu thereof, may install a state



21 centralized automated accounting system which facilitates
22 reporting the financial position and operations of the state as a
23 whole, in conformity with generally accepted accounting
24 principles. All such accounting systems so prescribed or
25 installed shall be as uniform as may be practicable for agencies
26 and offices of the same class and character.

27 Each state agency shall adopt and use the system prescribed
28 and approved for it by the State Fiscal Officer, and the State
29 Fiscal Officer shall have the authority and power to impound all
30 funds of such agency until it complies with the provisions of this
31 section. * * * The state centralized automated accounting system
32 shall be made available to the agencies of state government
33 through the services of the State Computer Center. The State
34 Fiscal Officer shall conduct training seminars on a regular basis
35 to ensure that agencies have access to persons proficient in the
36 correct use of the statewide automated accounting system.

37 (3) The State Fiscal Officer shall establish an oversight
38 advisory committee to ensure that the state centralized automated
39 accounting system meets the needs of the agencies served thereby.

40 * * * The oversight advisory committee shall be composed of
41 qualified public employees proficient in the areas of fiscal
42 management, accounting, data processing and other fields affected
43 by the automated accounting and financial management system.

44 * * * The committee shall have the following responsibilities:



45 (a) Provide continual review of laws, rules,
46 regulations, policies and procedures which affect the continued
47 successful implementation of the state automated accounting and
48 financial management system;

49 (b) Coordination among the control agencies of state
50 and federal government to identify required modifications and/or
51 enhancements to the state centralized automated accounting system
52 as required for successful implementation;

53 (c) Ensure that agencies using the system are in
54 compliance with the requirements of the various control agencies;
55 and

56 (d) Assign persons knowledgeable in their area of
57 expertise and proper use of the state centralized automated
58 accounting system to help agencies use the system correctly.

59 (4) The State Fiscal Officer shall provide for the
60 continuing support of the state centralized automated accounting
61 system from funds appropriated therefor by the Legislature and/or
62 from user fees charged to the state agencies and institutions
63 utilizing the system.

64 The State Fiscal Officer may charge fees to agencies and
65 institutions for services rendered to them in conjunction with the
66 statewide automated accounting system. The amounts of such fees
67 shall be set by the State Fiscal Officer, and all such fees
68 collected shall be paid into the Statewide Automated Accounting
69 System Fund.



70 (5) There is hereby established within the State Treasury a
71 special fund to be designated as the Mississippi Management and
72 Reporting System Revolving Fund. This fund is established for the
73 purpose of developing and maintaining an executive information
74 system within state government. Such a system may include the
75 state centralized automated accounting system, a centralized
76 automated human resource/payroll system for state agencies and the
77 automation of performance programmatic data and other data as
78 needed by the legislative and executive branches to monitor the
79 receipt and expenditure of funds in accordance with desired
80 objectives.

81 A Steering Committee consisting of the State Fiscal Officer,
82 the Executive Director of the State Personnel Board and the
83 Executive Director of the Mississippi Department of Information
84 Technology Services shall establish policies and procedures for
85 the administration of the Mississippi Management and Reporting
86 System Revolving Fund.

87 All disbursements from this fund shall be made pursuant to
88 appropriation by the Legislature. All interest earned from the
89 investment of monies in this fund shall be credited to such fund.

90 Any expenditure of funds related to the development of a
91 Mississippi Management and Reporting System by the State Personnel
92 Board, the Department of Finance and Administration and the
93 Mississippi Department of Information Technology Services made
94 during the fiscal year ending June 30, 1993, shall be reimbursable



95 from the Mississippi Management and Reporting System Revolving
96 Fund upon its establishment.

97 The Bond Commission is * * * authorized to grant a
98 noninterest-bearing loan to the Mississippi Management and
99 Reporting System Revolving Fund from the State Treasurer's General
100 Fund/Special Fund Pool in an amount not to exceed Fifteen Million
101 Dollars (\$15,000,000.00).

102 The Mississippi Management and Reporting System Steering
103 Committee shall appoint an administrator of the Mississippi
104 Management and Reporting System Revolving Fund. The salary of the
105 administrator and all other project administrative expenses shall
106 be disbursed from the revolving fund. The administrator of the
107 fund is * * * authorized to employ or secure personnel service
108 contracts for all personnel required to carry out this project.
109 On or before January 15 of each year, the State Fiscal Officer
110 shall present a report of all expenditures made during the
111 previous fiscal year from the Mississippi Management and Reporting
112 System Revolving Fund to the State Bond Commission and to the
113 Legislature. In addition, on or before January 15 of each year,
114 the Mississippi Management and Reporting System Revolving Fund
115 administrator shall submit a report to the chairs of the
116 Appropriations Committees and the Accountability, Efficiency and
117 Transparency Committees of the House of Representatives and Senate
118 on the current and future purchasing needs of the Mississippi
119 Management and Reporting System.



120 Upon implementation of the Mississippi Management and
121 Reporting System, or any part thereof, at any state agency, a
122 repayment schedule shall be determined by the Mississippi
123 Management and Reporting System Revolving Fund administrator for
124 payment back into the Mississippi Management and Reporting System
125 Revolving Fund. This repayment schedule will include direct and
126 indirect expenses of implementing the Mississippi Management and
127 Reporting System at each agency and applied interest charges.
128 Each state agency shall be required to request the amount of its
129 yearly repayment in its annual budget request.

130 At the completion of the Mississippi Management and Reporting
131 System, the Steering Committee shall recommend to the Legislature
132 an amount to remain in the Mississippi Management and Reporting
133 System Revolving Fund to fund future upgrades and maintenance for
134 the system. The remaining amount, as repaid by the agencies,
135 shall be returned to the General Fund/Special Fund Pool.

136 Each state agency executive director shall participate in the
137 Mississippi Management and Reporting System (MMRS) project by
138 appointing an agency implementation team leader to represent them
139 on the MMRS project. All agencies will be required to implement
140 the MMRS unless exempted from such by the MMRS Steering Committee.
141 If such an exemption is granted, the MMRS Steering Committee may
142 require selected data to be electronically interfaced into the
143 MMRS.



144 (6) In addition to his other duties, the Chief of the Fiscal
145 Management Division shall perform the following services:

146 (a) Maintain a set of control accounts on a double
147 entry accrual basis for each state fund so as to analyze, classify
148 and record all resources, obligations and financial transactions
149 of all state agencies.

150 (b) Submit to the Governor and to the Legislative
151 Budget Office a monthly report containing the state's financial
152 operations and conditions.

153 (c) Approve, as to form, the manner in which all
154 payrolls shall be prepared; and require each state agency to
155 furnish copies of monthly payrolls as required to the State Fiscal
156 Officer. The Chief of the Fiscal Management Division shall study
157 the feasibility of a central payroll system for all state officers
158 and employees, and report his findings and recommendations to the
159 Legislature.

160 (d) Require of each state agency, through its governing
161 board or executive head, the maintaining of continuous internal
162 audit covering the activities of such agency affecting its revenue
163 and expenditures, and an adequate internal system of preauditing
164 claims, demands and accounts against such agency as to adequately
165 ensure that only valid claims, demands and accounts will be paid,
166 and to verify compliance with the regulations of the State
167 Personal Service Contract Review Board regarding the execution of
168 any personal service or professional service contracts pursuant to



169 Section 25-9-120(3). The Fiscal Management Division shall report
170 to the State Fiscal Officer any failure or refusal of the
171 governing board or executive head of any state agency to comply
172 with the provisions of this section. The State Fiscal Officer
173 shall notify the * * * board of trustees or executive head of such
174 violation and, upon continued failure or refusal to comply with
175 the provisions of this section, * * * the State Fiscal Officer may
176 require * * * the board of trustees or executive head of such
177 state agency to furnish competent and adequate personnel to carry
178 out the provisions of this section, who shall be responsible to
179 the State Fiscal Officer for the performance of such function with
180 respect to such state agency. For failure or refusal to comply
181 with the provisions of this section or the directions of the State
182 Fiscal Officer, any such employee may be deprived of the power to
183 perform such functions on behalf of the Fiscal Management
184 Division.

185 (7) Every state agency, through the proper officials or
186 employee, shall make such periodic or special reports on forms
187 prescribed by the Chief of the Fiscal Management Division as may
188 be required or necessary to maintain the set of control accounts
189 required. If any officer or employee of any state agency whose
190 duty it is to do so shall refuse or fail to make such periodic or
191 special reports in such form and in such detail and within such
192 time as the Fiscal Management Division may require in the exercise
193 of this authority, the State Fiscal Officer shall prepare or cause



194 to be prepared and submitted such reports and the expense thereof
195 shall be personally borne by * * * the officer or employee, and he
196 or she shall be responsible on his or her official bond for the
197 payment of the expense. * * * A negligently prepared report shall
198 be considered as a refusal or failure under the provisions of this
199 section.

200 (8) From and after July 1, 2016, the expenses of this agency
201 shall be defrayed by appropriation from the State General Fund and
202 all user charges and fees authorized under this section shall be
203 deposited into the State General Fund as authorized by law.

204 (9) From and after July 1, 2016, no state agency shall
205 charge another state agency a fee, assessment, rent or other
206 charge for services or resources received by authority of this
207 section.

208 **SECTION 2.** This act shall take effect and be in force from
209 and after July 1, 2023.

