

By: Representatives Read, Oliver, Bounds,
Busby, Cockerham, Hale, Haney, Hines,
Huddleston, Jackson, Ladner, Scoggin, Turner,
Watson, Young

To: Appropriations

HOUSE BILL NO. 1602
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR
4 2024.

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

6 **SECTION 1.** The following sum, or so much thereof as may be
7 necessary, is appropriated out of any money in the State Treasury
8 to the credit of the Mississippi State Board of Physical Therapy,
9 for the purpose of defraying the expenses of the Mississippi State
10 Board of Physical Therapy for the fiscal year beginning
11 July 1, 2023, and ending June 30, 2024.....\$ 327,141.00.

12 **SECTION 2.** With the funds appropriated under the provisions
13 of Section 1, the following positions are authorized:

14 AUTHORIZED HEADCOUNT:

15 Permanent: 3
16 Time-Limited: 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 2025 do not exceed Fiscal Year 2024 funds



20 appropriated for that purpose unless programs or positions are
21 added to the agency's Fiscal Year 2024 budget by the Mississippi
22 Legislature. The Legislature shall determine the agency's
23 personal services appropriation, which the State Personnel Board
24 shall publish. The agency's personal services appropriation may
25 consist of restricted funds for approved vacancies for Fiscal Year
26 2024 that may not be utilized for active Fiscal Year 2023
27 Headcount. It shall be the agency's responsibility to ensure that
28 the funds provided for vacancies are used to increase headcount
29 and not for promotions, title changes, in-range salary adjustments
30 or any other mechanism for increasing salaries for current
31 employees. It is the Legislature's intention that no employee
32 salary falls below the minimum salary established by the
33 Mississippi State Personnel Board.

34 Additionally, the State Personnel Board shall determine and
35 publish the projected annualized payroll costs based on current
36 employees. It shall be the responsibility of the agency head to
37 ensure that actual personnel expenditures for Fiscal Year 2024 do
38 not exceed the data provided by the Legislative Budget Office. If
39 the agency's Fiscal Year 2024 projected cost exceeds the
40 annualized costs, no salary actions shall be processed by the
41 State Personnel Board except for new hires determined to be
42 essential for the agency.

43 Any transfers or escalations shall be made in accordance with
44 the terms, conditions, and procedures established by law or



45 allowable under the terms set forth within this act. The State
46 Personnel Board shall not escalate positions without written
47 approval from the Department of Finance and Administration. The
48 Department of Finance and Administration shall not provide written
49 approval to escalate any funds for salaries and/or positions
50 without proof of availability of new or additional funds above the
51 appropriated level.

52 No general funds authorized to be expended herein shall be
53 used to replace federal funds and/or other special funds used for
54 salaries authorized under the provisions of this act and which are
55 withdrawn and no longer available.

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

60 **SECTION 3.** It is the intention of the Legislature that the
61 Mississippi State Board of Physical Therapy shall maintain
62 complete accounting and personnel records related to the
63 expenditure of all funds appropriated under this act and that such
64 records shall be in the same format and level of detail as
65 maintained for Fiscal Year 2023. It is further the intention of
66 the Legislature that the agency's budget request for Fiscal Year
67 2025 shall be submitted to the Joint Legislative Budget Committee
68 in a format and level of detail comparable to the format and level



69 of detail provided during the Fiscal Year 2024 budget request
70 process.

71 **SECTION 4.** It is the intention of the Legislature that
72 whenever two (2) or more bids are received by this agency for the
73 purchase of commodities or equipment, and whenever all things
74 stated in such received bids are equal with respect to price,
75 quality and service, the Mississippi Industries for the Blind
76 shall be given preference. A similar preference shall be given to
77 the Mississippi Industries for the Blind whenever purchases are
78 made without competitive bids.

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

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

92 **SECTION 7.** This act shall take effect and be in force from
93 and after July 1, 2023.

