

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

To: Appropriations

HOUSE BILL NO. 1607
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE
3 EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES'
4 RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE
5 RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2024.

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

7 **SECTION 1.** The following sum, or so much thereof as may be
8 necessary, is appropriated out of any money in the State Treasury
9 to the credit of the Administrative Expense Account of the Public
10 Employees' Retirement System for the purpose of defraying the
11 administrative expenses of the Board of Trustees of the Public
12 Employees' Retirement System, or out of any money in the State
13 Treasury to the credit of the Retirement System Building Account
14 of the Public Employees' Retirement System for the purpose of
15 maintenance and general operation of the Retirement System
16 Building, for the fiscal year beginning July 1, 2023, and ending
17 June 30, 2024.....\$ 19,603,302.00.

18 **SECTION 2.** Of the funds appropriated under the provisions of
19 Section 1, the following positions are authorized:



20 AUTHORIZED HEADCOUNT:

21 Permanent: 167

22 Time-Limited: 0

23 With the funds herein appropriated, it shall be the agency's
24 responsibility to make certain that funds required for Personal
25 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
26 appropriated for that purpose unless programs or positions are
27 added to the agency's Fiscal Year 2024 budget by the Mississippi
28 Legislature. The Legislature shall determine the agency's
29 personal services appropriation, which the State Personnel Board
30 shall publish. The agency's personal services appropriation may
31 consist of restricted funds for approved vacancies for Fiscal Year
32 2024 that may not be utilized for active Fiscal Year 2023
33 Headcount. It shall be the agency's responsibility to ensure that
34 the funds provided for vacancies are used to increase headcount
35 and not for promotions, title changes, in-range salary adjustments
36 or any other mechanism for increasing salaries for current
37 employees. It is the Legislature's intention that no employee
38 salary falls below the minimum salary established by the
39 Mississippi State Personnel Board.

40 Additionally, the State Personnel Board shall determine and
41 publish the projected annualized payroll costs based on current
42 employees. It shall be the responsibility of the agency head to
43 ensure that actual personnel expenditures for Fiscal Year 2024 do
44 not exceed the data provided by the Legislative Budget Office. If



45 the agency's Fiscal Year 2024 projected cost exceeds the
46 annualized costs, no salary actions shall be processed by the
47 State Personnel Board except for new hires determined to be
48 essential for the agency.

49 Any transfers or escalations shall be made in accordance with
50 the terms, conditions, and procedures established by law or
51 allowable under the terms set forth within this act. The State
52 Personnel Board shall not escalate positions without written
53 approval from the Department of Finance and Administration. The
54 Department of Finance and Administration shall not provide written
55 approval to escalate any funds for salaries and/or positions
56 without proof of availability of new or additional funds above the
57 appropriated level.

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

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

66 **SECTION 3.** It is the intention of the Legislature that the
67 Board of Trustees of the Public Employees' Retirement System shall
68 maintain complete accounting and personnel records related to the
69 expenditure of all funds appropriated under this act and that such



70 records shall be in the same format and level of detail as
71 maintained for Fiscal Year 2023. It is further the intention of
72 the Legislature that the agency's budget request for Fiscal Year
73 2025 shall be submitted to the Joint Legislative Budget Committee
74 in a format and level of detail comparable to the format and level
75 of detail provided during the Fiscal Year 2024 budget request
76 process.

77 **SECTION 4.** In accordance with the purposes of this article,
78 there shall be established in the State Treasury the Public
79 Employees' Retirement System Building Repair and Maintenance Fund,
80 into which shall be deposited all funds collected as rental income
81 from the building owned by the system located at 301 North
82 President Street, Jackson, Mississippi. At the end of each fiscal
83 year, any and all unexpended funds shall be transferred to the
84 Administrative Budget Fund of the system.

85 **SECTION 5.** It is the intention of the Legislature that
86 whenever two (2) or more bids are received by this agency for the
87 purchase of commodities or equipment, and whenever all things
88 stated in such received bids are equal with respect to price,
89 quality and service, the Mississippi Industries for the Blind
90 shall be given preference. A similar preference shall be given to
91 the Mississippi Industries for the Blind whenever purchases are
92 made without competitive bids.

93 **SECTION 6.** Of the funds appropriated in Section 1, no more
94 than Three Million Five Hundred Thirty-eight Thousand Dollars



95 (\$3,538,000.00) is provided for the purpose of defraying those
96 expenses associated with maintaining, upgrading and operating the
97 computer system.

98 **SECTION 7.** The Public Employees' Retirement System is
99 further authorized, in its discretion, to expend funds for the
100 purchase of service pins for employees of the Public Employees'
101 Retirement System.

102 **SECTION 8.** Of the funds appropriated in Section 1, no more
103 than Three Hundred Thousand Dollars (\$300,000.00) is provided,
104 only for the explicit purpose of building maintenance and repair.

105 **SECTION 9.** It is the intention of the Legislature that the
106 funds herein appropriated shall be expended in compliance with
107 Section 27-104-25, Mississippi Code of 1972, that no state agency
108 shall incur obligations or indebtedness in excess of their
109 appropriation and that the responsible officers, either personally
110 or upon their official bonds, shall be held responsible for
111 actions contrary to this provision.

112 **SECTION 10.** The money herein appropriated shall be paid by
113 the State Treasurer out of any money in the State Treasury to the
114 credit of the proper fund or funds as set forth in this act, upon
115 warrants issued by the State Fiscal Officer; and the State Fiscal
116 Officer shall issue his warrants upon requisitions signed by the
117 proper person, officer or officers, in the manner provided by law.

118 **SECTION 11.** This act shall take effect and be in force from
119 and after July 1, 2023.

