

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

To: Appropriations

HOUSE BILL NO. 1609

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 REAL ESTATE COMMISSION FOR FISCAL YEAR 2024.

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

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is appropriated out of any money in the State Treasury  
7 to the credit of the Real Estate License Fund, for the purpose of  
8 defraying the expenses of the Mississippi Real Estate Commission  
9 for the fiscal year beginning July 1, 2023, and ending

10 June 30, 2024.....\$ 1,733,660.00.

11 **SECTION 2.** Of the funds appropriated under the provisions of  
12 Section 1, the following positions are authorized for the  
13 Mississippi Real Estate Commission:

14 AUTHORIZED HEADCOUNT:

15 Permanent: 16  
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 shall be published by the  
24 State Personnel Board. Additionally, the State Personnel Board  
25 shall determine and publish the projected annualized payroll costs  
26 based on current employees. It shall be the responsibility of the  
27 agency head to ensure that actual personnel expenditures for  
28 Fiscal Year 2024 do not exceed the data provided by the  
29 Legislative Budget Office. If the agency's Fiscal Year 2024  
30 projected cost exceeds the annualized costs, no salary actions  
31 shall be processed by the State Personnel Board with the exception  
32 of new hires that are determined to be essential for the agency.

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

42 No general funds authorized to be expended herein shall be  
43 used to replace federal funds and/or other special funds which are



44 being used for salaries authorized under the provisions of this  
45 act and which are withdrawn and no longer available.

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

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

56 **SECTION 3.** It is the intention of the Legislature that the  
57 Mississippi Real Estate Commission shall maintain complete  
58 accounting and personnel records related to the expenditure of all  
59 funds appropriated under this act and that such records shall be  
60 in the same format and level of detail as maintained for Fiscal  
61 Year 2023. It is further the intention of the Legislature that  
62 the agency's budget request for Fiscal Year 2025 shall be  
63 submitted to the Joint Legislative Budget Committee in a format  
64 and level of detail comparable to the format and level of detail  
65 provided during the Fiscal Year 2024 budget request process.

66 **SECTION 4.** It is the intention of the Legislature that  
67 whenever two (2) or more bids are received by this agency for the  
68 purchase of commodities or equipment, and whenever all things



69 stated in such received bids are equal with respect to price,  
70 quality and service, the Mississippi Industries for the Blind  
71 shall be given preference. A similar preference shall be given to  
72 the Mississippi Industries for the Blind whenever purchases are  
73 made without competitive bids.

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

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

87 **SECTION 7.** This act shall take effect and be in force from  
88 and after July 1, 2023, and shall stand repealed June 30, 2023.

