

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

To: Appropriations

HOUSE BILL NO. 1609
(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 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.....\$ 1,788,066.00.

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 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 Real Estate Commission shall maintain complete
62 accounting and personnel records related to the expenditure of all
63 funds appropriated under this act and that such records shall be
64 in the same format and level of detail as maintained for Fiscal
65 Year 2023. It is further the intention of the Legislature that
66 the agency's budget request for Fiscal Year 2025 shall be
67 submitted to the Joint Legislative Budget Committee in a format



68 and level of detail comparable to the format and level of detail
69 provided during the Fiscal Year 2024 budget request process.

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

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

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

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

