

By: Representatives Read, Bounds, Arnold,
Cockerham, Eure, Hale, Mangold, Oliver,
Turner, Young

To: Appropriations

HOUSE BILL NO. 1619
(As Sent to Governor)

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD
3 FOR THE 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 special fund in
7 the State Treasury to the credit of the State Oil and Gas Board
8 which is comprised of special source funds collected by or
9 otherwise available to the department, for the purpose of
10 defraying the expenses of the department for the fiscal year
11 beginning July 1, 2023, and ending June 30, 2024.....
12\$ 7,839,186.00.

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

15 AUTHORIZED HEADCOUNT:

16 Permanent: Full Time..... 34
17 Time-Limited: Full Time..... 0



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

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



42 State Personnel Board except for new hires determined to be
43 essential for the agency.

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

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

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

61 **SECTION 3.** It is the intention of the Legislature that the
62 State Oil and Gas Board shall maintain complete accounting and
63 personnel records related to the expenditure of all funds
64 appropriated under this act and that such records shall be in the
65 same format and level of detail as maintained for Fiscal Year
66 2023. It is further the intention of the Legislature that the



67 agency's budget request for Fiscal Year 2025 shall be submitted to
68 the Joint Legislative Budget Committee in a format and level of
69 detail comparable to the format and level of detail provided
70 during the Fiscal Year 2024 budget request process.

71 **SECTION 4.** The State Oil and Gas Board shall have the
72 authority to receive, budget and expend funds from any source not
73 to exceed Two Hundred Thousand Dollars (\$200,000.00) for the
74 Comprehensive Data Management Program in accordance with rules and
75 regulations of the Department of Finance and Administration in a
76 manner consistent with the escalation of federal funds.

77 **SECTION 5.** It is the intention of the Legislature that
78 whenever two (2) or more bids are received by this agency for the
79 purchase of commodities or equipment, and whenever all things
80 stated in such received bids are equal with respect to price,
81 quality and service, the Mississippi Industries for the Blind
82 shall be given preference. A similar preference shall be given to
83 the Mississippi Industries for the Blind whenever purchases are
84 made without competitive bids.

85 **SECTION 6.** It is the intention of the Legislature that the
86 funds herein appropriated shall be expended in compliance with
87 Section 27-104-25, Mississippi Code of 1972, that no state agency
88 shall incur obligations or indebtedness in excess of their
89 appropriation and that the responsible officers, either personally
90 or upon their official bonds, shall be held responsible for
91 actions contrary to this provision.



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

