

By: Senator(s) Parks

To: Accountability,
Efficiency, Transparency

SENATE BILL NO. 2837

1 AN ACT TO AMEND SECTION 7-7-3, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE STATE FISCAL OFFICER TO SUBMIT PURCHASING NEEDS TO
3 CERTAIN LEGISLATIVE COMMITTEES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 7-7-3, Mississippi Code of 1972, is
6 amended as follows:

7 7-7-3. (1) There is hereby established a General Accounting
8 Office for the State of Mississippi, the powers and duties of said
9 office to be performed by the Bureau of Budget and Fiscal
10 Management under the administration of the State Fiscal Officer.

11 (2) The Chief of the Fiscal Management Division, under the
12 supervision of the State Fiscal Officer, shall prescribe and
13 implement in the office of each state agency an adequate accrual
14 accounting system, in conformity with generally accepted
15 accounting principles, and a system for keeping other essential
16 financial records or, in lieu thereof, may install a state
17 centralized automated accounting system which facilitates
18 reporting the financial position and operations of the state as a



19 whole, in conformity with generally accepted accounting
20 principles. All such accounting systems so prescribed or
21 installed shall be as uniform as may be practicable for agencies
22 and offices of the same class and character.

23 Each state agency shall adopt and use the system prescribed
24 and approved for it by the State Fiscal Officer, and the State
25 Fiscal Officer shall have the authority and power to impound all
26 funds of such agency until it complies with the provisions of this
27 section. Said state centralized automated accounting system shall
28 be made available to the agencies of state government through the
29 services of the State Computer Center. The State Fiscal Officer
30 shall conduct training seminars on a regular basis to ensure that
31 agencies have access to persons proficient in the correct use of
32 the statewide automated accounting system.

33 (3) The State Fiscal Officer shall establish an oversight
34 advisory committee to ensure that the state centralized automated
35 accounting system meets the needs of the agencies served thereby.
36 Said oversight advisory committee shall be composed of qualified
37 public employees proficient in the areas of fiscal management,
38 accounting, data processing and other fields affected by the
39 automated accounting and financial management system. Said
40 committee shall have the following responsibilities:

41 (a) Provide continual review of laws, rules,
42 regulations, policies and procedures which affect the continued



43 successful implementation of the state automated accounting and
44 financial management system;

45 (b) Coordination among the control agencies of state
46 and federal government to identify required modifications and/or
47 enhancements to the state centralized automated accounting system
48 as required for successful implementation;

49 (c) Ensure that agencies using the system are in
50 compliance with the requirements of the various control agencies;
51 and

52 (d) Assign persons knowledgeable in their area of
53 expertise and proper use of the state centralized automated
54 accounting system to help agencies use the system correctly.

55 (4) The State Fiscal Officer shall provide for the
56 continuing support of the state centralized automated accounting
57 system from funds appropriated therefor by the Legislature and/or
58 from user fees charged to the state agencies and institutions
59 utilizing the system.

60 The State Fiscal Officer may charge fees to agencies and
61 institutions for services rendered to them in conjunction with the
62 statewide automated accounting system. The amounts of such fees
63 shall be set by the State Fiscal Officer, and all such fees
64 collected shall be paid into the Statewide Automated Accounting
65 System Fund.

66 (5) There is hereby established within the State Treasury a
67 special fund to be designated as the Mississippi Management and



68 Reporting System Revolving Fund. This fund is established for the
69 purpose of developing and maintaining an executive information
70 system within state government. Such a system may include the
71 state centralized automated accounting system, a centralized
72 automated human resource/payroll system for state agencies and the
73 automation of performance programmatic data and other data as
74 needed by the legislative and executive branches to monitor the
75 receipt and expenditure of funds in accordance with desired
76 objectives.

77 A Steering Committee consisting of the State Fiscal Officer,
78 the Executive Director of the State Personnel Board and the
79 Executive Director of the Mississippi Department of Information
80 Technology Services shall establish policies and procedures for
81 the administration of the Mississippi Management and Reporting
82 System Revolving Fund.

83 All disbursements from this fund shall be made pursuant to
84 appropriation by the Legislature. All interest earned from the
85 investment of monies in this fund shall be credited to such fund.

86 Any expenditure of funds related to the development of a
87 Mississippi Management and Reporting System by the State Personnel
88 Board, the Department of Finance and Administration and the
89 Mississippi Department of Information Technology Services made
90 during the fiscal year ending June 30, 1993, shall be reimbursable
91 from the Mississippi Management and Reporting System Revolving
92 Fund upon its establishment.



93 The Bond Commission is hereby authorized to grant a
94 noninterest-bearing loan to the Mississippi Management and
95 Reporting System Revolving Fund from the State Treasurer's General
96 Fund/Special Fund Pool in an amount not to exceed Fifteen Million
97 Dollars (\$15,000,000.00).

98 The Mississippi Management and Reporting System Steering
99 Committee shall appoint an administrator of the Mississippi
100 Management and Reporting System Revolving Fund. The salary of the
101 administrator and all other project administrative expenses shall
102 be disbursed from the revolving fund. The administrator of the
103 fund is hereby authorized to employ or secure personnel service
104 contracts for all personnel required to carry out this project.
105 On or before January 15 of each year, the State Fiscal Officer
106 shall present a report of all expenditures made during the
107 previous fiscal year and all purchasing needs for the upcoming
108 fiscal year from the Mississippi Management and Reporting System
109 Revolving Fund to the State Bond Commission and to the * * *
110 Chairmen of the House and Senate Accountability, Efficiency, and
111 Transparency Committees and the Chairmen of the House and Senate
112 Appropriations Committees of the Legislature.

113 Upon implementation of the Mississippi Management and
114 Reporting System, or any part thereof, at any state agency, a
115 repayment schedule shall be determined by the Mississippi
116 Management and Reporting System Revolving Fund administrator for
117 payment back into the Mississippi Management and Reporting System



118 Revolving Fund. This repayment schedule will include direct and
119 indirect expenses of implementing the Mississippi Management and
120 Reporting System at each agency and applied interest charges.
121 Each state agency shall be required to request the amount of its
122 yearly repayment in its annual budget request.

123 At the completion of the Mississippi Management and Reporting
124 System, the Steering Committee shall recommend to the Legislature
125 an amount to remain in the Mississippi Management and Reporting
126 System Revolving Fund to fund future upgrades and maintenance for
127 the system. The remaining amount, as repaid by the agencies,
128 shall be returned to the General Fund/Special Fund Pool.

129 Each state agency executive director shall participate in the
130 Mississippi Management and Reporting System (MMRS) project by
131 appointing an agency implementation team leader to represent them
132 on the MMRS project. All agencies will be required to implement
133 the MMRS unless exempted from such by the MMRS Steering Committee.
134 If such an exemption is granted, the MMRS Steering Committee may
135 require selected data to be electronically interfaced into the
136 MMRS.

137 (6) In addition to his other duties, the Chief of the Fiscal
138 Management Division shall perform the following services:

139 (a) Maintain a set of control accounts on a double
140 entry accrual basis for each state fund so as to analyze, classify
141 and record all resources, obligations and financial transactions
142 of all state agencies.



143 (b) Submit to the Governor and to the Legislative
144 Budget Office a monthly report containing the state's financial
145 operations and conditions.

146 (c) Approve as to form the manner in which all payrolls
147 shall be prepared; and require each state agency to furnish copies
148 of monthly payrolls as required to the State Fiscal Officer. The
149 Chief of the Fiscal Management Division shall study the
150 feasibility of a central payroll system for all state officers and
151 employees, and report his findings and recommendations to the
152 Legislature.

153 (d) Require of each state agency, through its governing
154 board or executive head, the maintaining of continuous internal
155 audit covering the activities of such agency affecting its revenue
156 and expenditures, and an adequate internal system of preauditing
157 claims, demands and accounts against such agency as to adequately
158 ensure that only valid claims, demands and accounts will be paid,
159 and to verify compliance with the regulations of the State
160 Personal Service Contract Review Board regarding the execution of
161 any personal service or professional service contracts pursuant to
162 Section 25-9-120(3). The Fiscal Management Division shall report
163 to the State Fiscal Officer any failure or refusal of the
164 governing board or executive head of any state agency to comply
165 with the provisions of this section. The State Fiscal Officer
166 shall notify the said board of trustees or executive head of such
167 violation and, upon continued failure or refusal to comply with



168 the provisions of this section, then the State Fiscal Officer may
169 require said board of trustees or executive head of such state
170 agency to furnish competent and adequate personnel to carry out
171 the provisions of this section, who shall be responsible to the
172 State Fiscal Officer for the performance of such function with
173 respect to such state agency. For failure or refusal to comply
174 with the provisions of this section or the directions of the State
175 Fiscal Officer, any such employee may be deprived of the power to
176 perform such functions on behalf of the Fiscal Management
177 Division.

178 (7) Every state agency, through the proper officials or
179 employee, shall make such periodic or special reports on forms
180 prescribed by the Chief of the Fiscal Management Division as may
181 be required or necessary to maintain the set of control accounts
182 required. If any officer or employee of any state agency whose
183 duty it is to do so shall refuse or fail to make such periodic or
184 special reports in such form and in such detail and within such
185 time as the Fiscal Management Division may require in the exercise
186 of this authority, the State Fiscal Officer shall prepare or cause
187 to be prepared and submitted such reports and the expense thereof
188 shall be personally borne by said officer or employee and he or
189 she shall be responsible on his or her official bond for the
190 payment of the expense. Provided that a negligently prepared
191 report shall be considered as a refusal or failure under the
192 provisions of this section.



193 (8) From and after July 1, 2016, the expenses of this agency
194 shall be defrayed by appropriation from the State General Fund and
195 all user charges and fees authorized under this section shall be
196 deposited into the State General Fund as authorized by law.

197 (9) From and after July 1, 2016, no state agency shall
198 charge another state agency a fee, assessment, rent or other
199 charge for services or resources received by authority of this
200 section.

201 **SECTION 2.** This act shall take effect and be in force from
202 and after July 1, 2023.

