

By: Senator(s) Hopson, Polk, Turner-Ford,
Chism, DeLano, Norwood

To: Appropriations

SENATE BILL NO. 3038
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR
3 VEHICLE COMMISSION FOR FISCAL YEAR 2024.

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

5 **SECTION 1.** The following sum of money, or so much thereof as
6 may be necessary, is hereby appropriated out of any money in the
7 State Treasury to the credit of the Mississippi Motor Vehicle
8 Commission, as provided by Section 63-17-51 et seq., Mississippi
9 Code of 1972, for the purpose of defraying the expenses of said
10 commission, for the fiscal year beginning July 1, 2023, and ending
11 June 30, 2024.....\$ 369,868.00.

12 **SECTION 2.** Of the funds appropriated under the provisions of
13 this act, the following positions are authorized:

14 AUTHORIZED HEADCOUNT:

15 Permanent: 3
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
61 whenever two (2) or more bids are received by this agency for the
62 purchase of commodities or equipment, and whenever all things
63 stated in such received bids are equal with respect to price,
64 quality and service, the Mississippi Industries for the Blind
65 shall be given preference. A similar preference shall be given to
66 the Mississippi Industries for the Blind whenever purchases are
67 made without competitive bids.



68 **SECTION 4.** It is the intention of the Legislature that the
69 funds herein appropriated shall be expended in compliance with
70 Section 27-104-25, Mississippi Code of 1972, that no state agency
71 shall incur obligations or indebtedness in excess of their
72 appropriation and that the responsible officers, either personally
73 or upon their official bonds, shall be held responsible for
74 actions contrary to this provision.

75 **SECTION 5.** The money herein appropriated shall be paid by
76 the State Treasurer out of any money in the State Treasury to the
77 credit of the proper fund or funds as set forth in this act, upon
78 warrants issued by the State Fiscal Officer; and the State Fiscal
79 Officer shall issue his warrants upon requisitions signed by the
80 proper person, officer or officers in the manner provided by law.

81 **SECTION 6.** This act shall take effect and be in force from
82 and after July 1, 2023.

