

By: Senator(s) Hopson, Polk, Blackwell,  
Simmons (13th), Williams

To: Appropriations

SENATE BILL NO. 3041

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR  
3 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 hereby appropriated out of any funds in the State  
7 General Fund not otherwise appropriated, for the purpose of paying  
8 salaries and defraying the expenses of the State Department of  
9 Audit in making the audits and investigations of public offices of  
10 the state and counties as provided by Section 7-7-201 et seq.,  
11 Mississippi Code of 1972, for the fiscal year beginning  
12 July 1, 2023, and ending June 30, 2024.....\$ 8,736,506.00.

13 **SECTION 2.** The following sum, or so much thereof as may be  
14 necessary, is hereby appropriated out of any special funds in the  
15 State Treasury to the credit of the State Department of Audit's  
16 special fund account for the purpose of paying salaries and  
17 defraying the expenses of the State Department of Audit in making  
18 the audits and investigations of public offices of the state and



19 counties as provided by Section 7-7-201 et seq., Mississippi Code  
20 of 1972, for the fiscal year beginning July 1, 2023, and ending  
21 June 30, 2024.....\$ 3,880,990.00.

22 **SECTION 3.** Of the funds appropriated under the provisions of  
23 this act, the following positions are authorized:

24 AUTHORIZED HEADCOUNT:

25 Permanent: 154

26 Time-Limited: 0

27 With the funds herein appropriated, it shall be the agency's  
28 responsibility to make certain that funds required for Personal  
29 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds  
30 appropriated for that purpose unless programs or positions are  
31 added to the agency's Fiscal Year 2024 budget by the Mississippi  
32 Legislature. The Legislature shall determine the agency's  
33 personal services appropriation, which shall be published by the  
34 State Personnel Board. Additionally, the State Personnel Board  
35 shall determine and publish the projected annualized payroll costs  
36 based on current employees. It shall be the responsibility of the  
37 agency head to ensure that actual personnel expenditures for  
38 Fiscal Year 2024 do not exceed the data provided by the  
39 Legislative Budget Office. If the agency's Fiscal Year 2024  
40 projected cost exceeds the annualized costs, no salary actions  
41 shall be processed by the State Personnel Board with the exception  
42 of new hires that are determined to be 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 which are  
54 being used for salaries authorized under the provisions of this  
55 act and which are withdrawn and no longer available.

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

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

66 **SECTION 4.** In compliance with the "Mississippi Performance  
67 Budget and Strategic Planning Act of 1994," it is the intent of



68 the Legislature that the funds provided herein shall be utilized  
 69 in the most efficient and effective manner possible to achieve the  
 70 intended mission of this agency. Based on the funding authorized,  
 71 this agency shall make every effort to attain the targeted  
 72 performance measures provided below:

	FY2024
<u>Performance Measures</u>	<u>Target</u>
75 Finance & Compliance	
76 County Government Audits- Percent	
77 Audited by CPA Firms	65.00
78 County Government Audits- Percent	
79 Audited by OSA	35.00
80 Single Audit Federal Program Coverage -	
81 Percent Audited by CPA Firms	25.00
82 Single Audit Federal Program Coverage -	
83 Percent Audited by OSA	75.00
84 ACFR Opinion Units - Percent General	
85 Fund Assets	75.00
86 ACFR Opinion Units - Percent General	
87 Fund Reserves	75.00
88 Technical Assistance	
89 Number of Technical Assistance Inquiries	6,400
90 Cost per Technical Assistance Inquiry	15.00
91 Percent Customer Satisfaction Rating of	
92 70% or Higher	75.00



93 Investigations  
 94 Recovered Embezzled and/or Misspent  
 95 Funds as a Result of Investigations  
 96 Conducted by this Office 600,000.00  
 97 Recovered Funds as a Percent of Total  
 98 Misspent Funds 18.00  
 99 Performance Audits  
 100 Number of Performance Audit Reports  
 101 Completed 10  
 102 Number of Positive Changes Recommended  
 103 in Performance Audits or Bond Monitoring  
 104 Reports 25  
 105 A reporting of the degree to which the performance targets  
 106 set above have been or are being achieved shall be provided in the  
 107 agency's budget request submitted to the Joint Legislative Budget  
 108 Committee for Fiscal Year 2025.

109 **SECTION 5.** It is the intention of the Legislature that  
 110 whenever two (2) or more bids are received by this agency for the  
 111 purchase of commodities or equipment, and whenever all things  
 112 stated in such received bids are equal with respect to price,  
 113 quality and service, the Mississippi Industries for the Blind  
 114 shall be given preference. A similar preference shall be given to  
 115 the Mississippi Industries for the Blind whenever purchases are  
 116 made without competitive bids.



117           **SECTION 6.** Of the funds appropriated in Section 2 of this  
118 act, it is the intention of the Legislature that Thirty Thousand  
119 Dollars (\$30,000.00) is provided for the purpose of paying fees  
120 for a CPA Review Course for the Office of the State Auditor's  
121 employees to be reimbursed over a 12-month period by the employee  
122 taking the course.

123           **SECTION 7.** It is the intention of the Legislature that the  
124 State Auditor is hereby authorized to escalate, budget and expend  
125 funds from any source made available to comply with the Single  
126 Audit Act of 1984 for the purpose of employing staff, paying  
127 related expenses, or to engage private accountants, as necessary,  
128 to comply with the provisions of the act, in accordance with rules  
129 and regulations of the Department of Finance and Administration in  
130 a manner consistent with the escalation of federal funds.

131           **SECTION 8.** No more than One Million Dollars (\$1,000,000.00)  
132 may be provided to defray expenses incurred by the Office of the  
133 State Auditor pursuant to the rules and regulations of the United  
134 States Department of Justice Federal Equitable Sharing Program.  
135 These funds may only be used for nonbudgeted law enforcement  
136 purposes by the Office of the State Auditor.

137           **SECTION 9.** It is the intention of the Legislature that the  
138 State Department of Audit shall maintain complete accounting and  
139 personnel records related to the expenditure of all funds  
140 appropriated under this act and that such records shall be in the  
141 same format and level of detail as maintained for Fiscal Year



142 2023. It is further the intention of the Legislature that the  
143 agency's budget request for Fiscal Year 2025 shall be submitted to  
144 the Joint Legislative Budget Committee in a format and level of  
145 detail comparable to the format and level of detail provided  
146 during the Fiscal Year 2024 budget request process.

147 **SECTION 10.** Of the funds appropriated in Section 2 of this  
148 act, it is the intention of the Legislature that Two Hundred  
149 Thousand Dollars (\$200,000.00) is provided for the purpose of the  
150 Accountancy Fellowship Program as provided by Section 7-7-204, et  
151 seq., Mississippi Code of 1972.

152 **SECTION 11.** The money herein appropriated shall be paid by  
153 the State Treasurer out of any money in the State Treasury to the  
154 credit of the proper fund or funds as set forth in this act, upon  
155 warrants issued by the State Fiscal Officer; and the State Fiscal  
156 Officer shall issue his warrants upon requisitions signed by the  
157 proper person, officer or officers in the manner provided by law.

158 **SECTION 12.** This act shall take effect and be in force from  
159 and after July 1, 2023, and shall stand repealed from and after  
160 June 30, 2023.

