

House Amendments to Senate Bill No. 3023

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, for the purpose of
7 defraying the expenses of the Board of Tax Appeals for the fiscal
8 year beginning July 1, 2023, and ending June 30, 2024.....
9\$ 635,097.00.

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

12 AUTHORIZED HEADCOUNT:

13 Permanent:	6
14 Time-Limited:	0

15 With the funds herein appropriated, it shall be the agency's
16 responsibility to make certain that funds required for Personal
17 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds
18 appropriated for that purpose unless programs or positions are
19 added to the agency's Fiscal Year 2024 budget by the Mississippi
20 Legislature. The Legislature shall determine the agency's

21 personal services appropriation, which shall be published by the
22 State Personnel Board. Additionally, the State Personnel Board
23 shall determine and publish the projected annualized payroll costs
24 based on current employees. It shall be the responsibility of the
25 agency head to ensure that actual personnel expenditures for
26 Fiscal Year 2024 do not exceed the data provided by the
27 Legislative Budget Office. If the agency's Fiscal Year 2024
28 projected cost exceeds the annualized costs, no salary actions
29 shall be processed by the State Personnel Board with the exception
30 of new hires that are determined to be essential for the agency.

31 Any transfers or escalations shall be made in accordance with
32 the terms, conditions and procedures established by law or
33 allowable under the terms set forth within this act. The State
34 Personnel Board shall not escalate positions without written
35 approval from the Department of Finance and Administration. The
36 Department of Finance and Administration shall not provide written
37 approval to escalate any funds for salaries and/or positions
38 without proof of availability of new or additional funds above the
39 appropriated level.

40 No general funds authorized to be expended herein shall be
41 used to replace federal funds and/or other special funds which are
42 being used for salaries authorized under the provisions of this
43 act and which are withdrawn and no longer available.

44 None of the funds herein appropriated shall be used in
45 violation of Internal Revenue Service's Publication 15-A relating

46 to the reporting of income paid to contract employees, as
47 interpreted by the Office of the State Auditor.

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

54 **SECTION 3.** It is the intention of the Legislature that
55 whenever two (2) or more bids are received by this agency for the
56 purchase of commodities or equipment, and whenever all things
57 stated in such received bids are equal with respect to price,
58 quality and service, the Mississippi Industries for the Blind
59 shall be given preference. A similar preference shall be given to
60 the Mississippi Industries for the Blind whenever purchases are
61 made without competitive bids.

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

69 **SECTION 5.** The money herein appropriated shall be paid by
70 the State Treasurer out of any money in the State Treasury to the
71 credit of the proper fund or funds as set forth in this act, upon

72 warrants issued by the State Fiscal Officer; and the State Fiscal
73 Officer shall issue his warrants upon requisitions signed by the
74 proper person, officer or officers, in the manner provided by law.

75 **SECTION 6.** This act shall take effect and be in force from
76 and after July 1, 2023, and shall stand repealed from and after
77 June 29, 2023.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2024.

HR13\SB3023A.J

Andrew Ketchings
Clerk of the House of Representatives