

House Amendments to Senate Bill No. 3050

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 of money, or so much thereof as
5 may be necessary, is hereby appropriated out of any money in the
6 special fund in the State Treasury to the credit of the State
7 Treasurer's office which are collected by or otherwise become
8 available, to defray the expenses of the Office of the State
9 Treasurer for the fiscal year beginning July 1, 2023, and ending
10 June 30, 2024.....\$ 5,776,111.00.

11 **SECTION 2.** Of the funds appropriated in Section 1 of this
12 act, the following positions are authorized:

13 AUTHORIZED HEADCOUNT:
14 Permanent: 37
15 Time-Limited: 0

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

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

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

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

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

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

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

55 **SECTION 3.** In addition to all other sums herein
56 appropriated, the following sum, or so much thereof as may be
57 necessary, is hereby appropriated out of any money in the State
58 Treasury to the credit of the Education Improvement Trust Fund No.
59 3219 for the purpose of investing funds for the fiscal year
60 beginning July 1, 2023, and ending June 30, 2024.....
61\$ 150,000.00.

62 **SECTION 4.** In addition to all other sums herein
63 appropriated, the following sum, or so much thereof as may be
64 necessary, is hereby appropriated out of any money in the State
65 Treasury to the credit of the Mississippi Prepaid Affordable
66 College Tuition Trust Fund for the purpose of paying all amounts
67 due for prepaid tuition contracts of the Mississippi Prepaid
68 Affordable College Tuition Program, for the fiscal year beginning
69 July 1, 2023, and ending June 30, 2024.....\$ 35,000,000.00.

70 It is the intention of the Legislature that the State
71 Treasurer is hereby authorized to accept, budget and expend an
72 amount not to exceed One Million Dollars (\$1,000,000.00) from any

73 funds authorized for the Mississippi Prepaid Affordable College
74 Tuition Program, for paying amounts due for prepaid tuition
75 contracts of the Mississippi Prepaid Affordable College Tuition
76 Program. Such funds shall be escalated in accordance with the
77 rules and regulations of the Department of Finance and
78 Administration in a manner consistent with the escalation of
79 federal funds.

80 **SECTION 5.** No part of the funds appropriated herein shall be
81 used in the payment of attorney's fees, nor shall any of said
82 funds be used either directly or indirectly, for the purpose of
83 paying any clerk, stenographer, assistant, deputy or other person
84 who may be related by blood or marriage within the third degree,
85 computed by the rules of the civil law, to the official employing
86 or having the right of employment or selection thereof; and in the
87 event of any such payment, then the official or person approving
88 and making or receiving such payment shall be jointly and
89 severally liable to return to the State of Mississippi and to pay
90 into the State Treasury three (3) times any such amount so paid or
91 received, to be recovered at suit of the Attorney General;
92 provided that when the relationship is by affinity and the person
93 through whom the relationship was established is dead, this
94 provision shall not apply.

95 **SECTION 6.** It is the intention of the Legislature that the
96 Office of the State Treasurer shall maintain complete accounting
97 and personnel records related to the expenditure of all funds
98 appropriated under the provisions of this act and that such

99 records shall be in the same format and level of details as
100 maintained for Fiscal Year 2023. It is further the intention of
101 the Legislature that the budget request for Fiscal Year 2025 shall
102 be submitted to the Joint Legislative Budget Committee in a format
103 and level of detail comparable to the format and level of detail
104 provided during the Fiscal Year 2024 budget request process.

105 **SECTION 7.** It is the intention of the Legislature that
106 whenever two (2) or more bids are received by this agency for the
107 purchase of commodities or equipment, and whenever all things
108 stated in such received bids are equal with respect to price,
109 quality and service, the Mississippi Industries for the Blind
110 shall be given preference. A similar preference shall be given to
111 the Mississippi Industries for the Blind whenever purchases are
112 made without competitive bids.

113 **SECTION 8.** Of the funds appropriated to the State Treasury
114 under the provisions of Section 1, the following amounts shall be
115 available for expenditure in the following program budgets:

116	(a) Mississippi Prepaid Affordable College Tuition	
117	program.....	\$ 1,854,655.00.
118	(b) Mississippi Affordable College Savings	
119	program.....	\$ 177,860.00.
120	(c) Treasury Office - Support	
121	programs.....	\$ 3,743,596.00.

122 Further, no funds to the credit of the Mississippi Prepaid
123 Affordable College Tuition Administrative Fund shall be expended

124 for purposes related to any program other than the Mississippi
125 Prepaid Affordable College Tuition program.

126 **SECTION 9.** The money herein appropriated shall be paid by
127 the State Treasurer out of any money in the State Treasury to the
128 credit of the proper fund or funds as set forth in this act, upon
129 warrants issued by the State Fiscal Officer; and the State Fiscal
130 Officer shall issue his warrants upon requisitions signed by the
131 proper person, officer or officers in the manner provided by law.

132 **SECTION 10.** This act shall take effect and be in force from
133 and after July 1, 2023, and shall stand repealed from and after
134 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 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2024.

HR13\SB3050A.J

Andrew Ketchings
Clerk of the House of Representatives