

By: Representatives Currie, Turner, Boyd
(19th)

To: Appropriations A

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1037

1 AN ACT TO AMEND SECTION 27-104-231, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE PROCESS FOR STATE AGENCIES TO AVOID OR LIMIT THE
3 NEED FOR ANY ADDITIONAL, DEFICIT OR SUPPLEMENTAL APPROPRIATIONS;
4 TO REQUIRE A STANDARDIZED REQUEST FORM PROMULGATED BY THE
5 LEGISLATIVE BUDGET OFFICE AND THE DEPARTMENT OF FINANCE AND
6 ADMINISTRATION; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 27-104-231, Mississippi Code of 1972, is
9 amended as follows:

10 27-104-231. (1) This section shall be known and may be
11 cited as the "Deficit Appropriation Prevention Act."

12 (2) It is the responsibility of each state agency,
13 department and institution to operate within the limits of its
14 annual appropriations by the Legislature and any other approved
15 expenditures of monies. A state agency, department or institution
16 shall not operate in a manner that results in * * * the need for
17 an additional, deficit, or supplemental appropriation, except as
18 provided in this * * * section.

19 (3) If it is determined by a state agency, department or
20 institution that the likelihood of * * * needing an additional,



21 deficit, or supplemental appropriation for the current fiscal year
22 exists, the state agency, department or institution shall use a
23 standardized request form promulgated by the Legislative Budget
24 Office and the Department of Finance and Administration to notify
25 the Governor, Lieutenant Governor, Speaker of the House, and
26 Chairs of the House and Senate Appropriations Committees, the
27 Legislative Budget Office and the Department of Finance and
28 Administration within fifteen (15) days of this determination.
29 The standardized request form must include a description of the
30 need, an explanation of why the agency cannot cover the expenses
31 with their existing appropriation, the impact of disapproval and a
32 plan to avoid or limit any additional deficit or supplemental
33 appropriation. The agency shall also include in the report a
34 listing of all funds the entity is authorized to expend, the
35 amount appropriated from each fund, the amount of funds expended
36 at the time of the request and the current cash balance of the
37 fund.

38 (4) * * * The Legislative Budget Office and the Department
39 of Finance and Administration shall approve, recommend changes, or
40 create new plans to avoid or limit the need for any additional,
41 deficit or supplemental appropriations for each state agency,
42 department or institution based on the information provided in the
43 standardized request forms.

44 (5) For purposes of this section, the term "state agency"
45 shall have the same meaning as provided in Section 27-103-103.



46 **SECTION 2.** This act shall take effect and be in force from
47 and after July 1, 2024.

