

By: Senator(s) Hopson, Polk, Norwood,
Hickman, Hill, Tate

To: Appropriations

SENATE BILL NO. 3031
(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 STATE
3 BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2025.

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 State Board of
8 Public Contractors, for the purpose of defraying the expenses of
9 said board, for the fiscal year beginning July 1, 2024, and ending
10 June 30, 2025.....\$ 4,310,050.00.

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

13 AUTHORIZED HEADCOUNTS:

14 Permanent: 18

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 2026 do not exceed Fiscal Year 2025 funds



19 appropriated for that purpose unless programs or positions are
20 added to the agency's Fiscal Year 2025 budget by the Mississippi
21 Legislature. The Legislature shall determine the agency's
22 personal services appropriation, which the State Personnel Board
23 shall publish. The agency's personal services appropriation may
24 consist of restricted funds for approved vacancies for Fiscal Year
25 2025 that may be utilized to fill vacant Fiscal Year 2024
26 headcount. It shall be the agency's responsibility to ensure that
27 the funds provided for vacancies are used to increase headcount
28 and not for promotions, title changes, in-range salary adjustments
29 or any other mechanism for increasing salaries for current
30 employees. It is the Legislature's intention that no employee
31 salary falls below the minimum salary established by the
32 Mississippi State Personnel Board.

33 Additionally, the State Personnel Board shall determine and
34 publish the projected annualized payroll costs based on current
35 employees. It shall be the responsibility of the agency head to
36 ensure that actual personnel expenditures for Fiscal Year 2025 do
37 not exceed the data provided by the Legislative Budget Office. If
38 the agency's Fiscal Year 2025 projected cost exceeds the
39 annualized costs, no salary actions shall be processed by the
40 State Personnel Board except for new hires determined to be
41 essential for the agency.

42 Any transfers or escalations shall be made in accordance with
43 the terms, conditions, and procedures established by law or



44 allowable under the terms set forth within this act. The State
45 Personnel Board shall not escalate positions without written
46 approval from the Department of Finance and Administration. The
47 Department of Finance and Administration shall not provide written
48 approval to escalate any funds for salaries and/or positions
49 without proof of availability of new or additional funds above the
50 appropriated level.

51 No general funds authorized to be expended herein shall be
52 used to replace federal funds and/or other special funds used for
53 salaries authorized under the provisions of this act and which are
54 withdrawn and no longer available.

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

59 **SECTION 3.** It is the intention of the Legislature that the
60 Mississippi Board of Public Contractors shall maintain complete
61 accounting and personnel records related to the expenditure of all
62 funds appropriated under this act and that such records shall be
63 in the same format and level of detail as maintained for Fiscal
64 Year 2024. It is further the intention of the Legislature that
65 the agency's budget request for Fiscal Year 2026 shall be
66 submitted to the Joint Legislative Budget Committee in a format
67 and level of detail comparable to the format and level of detail
68 provided during the Fiscal Year 2025 budget request process.



69 **SECTION 4.** Of the funds appropriated in this act, it is the
70 intention of the Legislature that the State Board of Contractors
71 may expend funds not to exceed Two Million Three Hundred Thousand
72 Dollars (\$2,300,000.00) for the purpose of defraying the cost of
73 (1) enforcement as set forth in Section 31-3-21, Mississippi Code
74 of 1972, (2) enlisting of any private collection firm(s) to locate
75 and collect any uncollected fines, and (3) administrative costs
76 associated with collections. Any funds spent for this purpose
77 shall be subject to a performance audit if requested by the
78 Appropriations Chairmen in either the House or Senate.

79 **SECTION 5.** It is the intention of the Legislature that
80 whenever two (2) or more bids are received by this agency for the
81 purchase of commodities or equipment, and whenever all things
82 stated in such received bids are equal with respect to price,
83 quality and service, the Mississippi Industries for the Blind
84 shall be given preference. A similar preference shall be given to
85 the Mississippi Industries for the Blind whenever purchases are
86 made without competitive bids.

87 **SECTION 6.** It is the intention of the Legislature that the
88 funds herein appropriated shall be expended in compliance with
89 Section 27-104-25, Mississippi Code of 1972, that no state agency
90 shall incur obligations or indebtedness in excess of their
91 appropriation and that the responsible officers, either personally
92 or upon their official bonds, shall be held responsible for
93 actions contrary to this provision.



94 **SECTION 7.** The money herein appropriated shall be paid by
95 the State Treasurer out of any money in the State Treasury to the
96 credit of the proper fund or funds as set forth in this act, upon
97 warrants issued by the State Fiscal Officer; and the State Fiscal
98 Officer shall issue his warrants upon requisitions signed by the
99 proper person, officer or officers in the manner provided by law.

100 **SECTION 8.** This act shall take effect and be in force from
101 and after July 1, 2024.

