

By: Senator(s) Hopson, Polk, Michel, Turner- Ford, Wiggins To: Appropriations

SENATE BILL NO. 3046

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR
3 2025.

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, 2024, and ending June 30, 2025.....\$ 8,952,847.00.

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, 2024, and ending
21 June 30, 2025.....\$ 4,881,580.00.

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

24 AUTHORIZED HEADCOUNT:

25 Permanent: 148

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 2026 do not exceed Fiscal Year 2025 funds
30 appropriated for that purpose unless programs or positions are
31 added to the agency's Fiscal Year 2025 budget by the Mississippi
32 Legislature. The Legislature shall determine the agency's personal
33 services appropriation, which the State Personnel Board shall
34 publish. In accordance with applicable laws, if an agency
35 determines that its personal services amount is insufficient, the
36 agency must contact the State Personnel Board. Any adjustment to
37 the personal services amount must be approved by the State
38 Personnel Director and the State Fiscal Officer after consultation
39 with the Legislative Budget Office. Any adjustment shall be
40 reported to the Legislative Budget Office and the House and Senate
41 Appropriations Chairmen. The agency's personal services
42 appropriation may consist of restricted funds for approved
43 vacancies for Fiscal Year 2025 that may not be utilized for active



44 Fiscal Year 2024 headcount. It shall be the agency's
45 responsibility to ensure that the funds provided for vacancies are
46 used to increase headcount and not for promotions, title changes,
47 in-range salary adjustments, or any other mechanism for increasing
48 salaries for current employees. If the State Personnel Board
49 determines that an agency has used provided vacancy funds for any
50 of the mechanisms previously listed, the State Personnel Board
51 shall not process any additional salary actions for the agency in
52 the current fiscal year, except for new hires determined by the
53 State Personnel Board to be essential for the agency. It is the
54 Legislature's intention that no employee salary falls below the
55 minimum salary established by the Mississippi State Personnel
56 Board.

57 Additionally, the State Personnel Board shall determine and
58 publish the projected annualized payroll costs based on current
59 employees. It shall be the responsibility of the agency head to
60 ensure that actual personnel expenditures for Fiscal Year 2025 do
61 not exceed the data provided by the Legislative Budget Office. If
62 the agency's projected cost for Fiscal Year 2025 exceeds the
63 annualized costs, no salary actions shall be processed by the
64 State Personnel Board except for new hires determined to be
65 essential for the agency.

66 Any transfers or escalations shall be made in accordance with
67 the terms, conditions, and procedures established by law or
68 allowable under the terms set forth within this act. The State



69 Personnel Board shall not escalate positions without written
70 approval from the Department of Finance and Administration. The
71 Department of Finance and Administration shall not provide written
72 approval to escalate any funds for salaries and/or positions
73 without proof of availability of new or additional funds above the
74 appropriated level.

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

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

83 **SECTION 4.** In compliance with the "Mississippi Performance
84 Budget and Strategic Planning Act of 1994," it is the intent of
85 the Legislature that the funds provided herein shall be utilized
86 in the most efficient and effective manner possible to achieve the
87 intended mission of this agency. Based on the funding authorized,
88 this agency shall make every effort to attain the targeted
89 performance measures provided below:

90		FY2025
91	<u>Performance Measures</u>	<u>Target</u>
92	Finance & Compliance	
93	County Government Audits- Percent	



94	Audited by CPA Firms	65.00
95	County Government Audits- Percent	
96	Audited by OSA	35.00
97	Single Audit Federal Program Coverage -	
98	Percent Audited by CPA Firms	35.00
99	Single Audit Federal Program Coverage -	
100	Percent Audited by OSA	65.00
101	ACFR Opinion Units - Percent General	
102	Fund Assets	75.00
103	ACFR Opinion Units - Percent General	
104	Fund Reserves	75.00
105	Technical Assistance	
106	Number of Technical Assistance Inquiries	6,400
107	Cost per Technical Assistance Inquiry	15.00
108	Percent Customer Satisfaction Rating of	
109	70% or Higher	75.00
110	Investigations	
111	Recovered Embezzled and/or Misspent	
112	Funds as a Result of Investigations	
113	Conducted by this Office	600,000.00
114	Recovered Funds as a Percent of Total	
115	Misspent Funds	18.00
116	Performance Audits	
117	Number of Performance Audit Reports	
118	Completed	10



119 Number of Positive Changes Recommended
120 in Performance Audits or Bond Monitoring
121 Reports 25

122 A reporting of the degree to which the performance targets
123 set above have been or are being achieved shall be provided in the
124 agency's budget request submitted to the Joint Legislative Budget
125 Committee for Fiscal Year 2026.

126 **SECTION 5.** It is the intention of the Legislature that
127 whenever two (2) or more bids are received by this agency for the
128 purchase of commodities or equipment, and whenever all things
129 stated in such received bids are equal with respect to price,
130 quality and service, the Mississippi Industries for the Blind
131 shall be given preference. A similar preference shall be given to
132 the Mississippi Industries for the Blind whenever purchases are
133 made without competitive bids.

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

140 **SECTION 7.** It is the intention of the Legislature that the
141 State Auditor is hereby authorized to escalate, budget and expend
142 funds from any source made available to comply with the Single
143 Audit Act of 1984 for the purpose of employing staff, paying



144 related expenses, or to engage private accountants, as necessary,
145 to comply with the provisions of the act, in accordance with rules
146 and regulations of the Department of Finance and Administration in
147 a manner consistent with the escalation of federal funds.

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

154 **SECTION 9.** It is the intention of the Legislature that the
155 State Department of Audit shall maintain complete accounting and
156 personnel records related to the expenditure of all funds
157 appropriated under this act and that such records shall be in the
158 same format and level of detail as maintained for Fiscal Year
159 2024. It is further the intention of the Legislature that the
160 agency's budget request for Fiscal Year 2026 shall be submitted to
161 the Joint Legislative Budget Committee in a format and level of
162 detail comparable to the format and level of detail provided
163 during the Fiscal Year 2025 budget request process.

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



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

175 **SECTION 12.** This act shall take effect and be in force from
176 and after July 1, 2024, and shall stand repealed from and after
177 June 30, 2024.

