

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

SENATE BILL NO. 3051

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2025.

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

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, 2024, and ending
10 June 30, 2025.....\$ 6,189,245.00.

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

13 AUTHORIZED HEADCOUNT:

14 Permanent: 36
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 personal
22 services appropriation, which the State Personnel Board shall
23 publish. In accordance with applicable laws, if an agency
24 determines that its personal services amount is insufficient, the
25 agency must contact the State Personnel Board. Any adjustment to
26 the personal services amount must be approved by the State
27 Personnel Director and the State Fiscal Officer after consultation
28 with the Legislative Budget Office. Any adjustment shall be
29 reported to the Legislative Budget Office and the House and Senate
30 Appropriations Chairmen. The agency's personal services
31 appropriation may consist of restricted funds for approved
32 vacancies for Fiscal Year 2025 that may not be utilized for active
33 Fiscal Year 2024 headcount. It shall be the agency's
34 responsibility to ensure that the funds provided for vacancies are
35 used to increase headcount and not for promotions, title changes,
36 in-range salary adjustments, or any other mechanism for increasing
37 salaries for current employees. If the State Personnel Board
38 determines that an agency has used provided vacancy funds for any
39 of the mechanisms previously listed, the State Personnel Board
40 shall not process any additional salary actions for the agency in
41 the current fiscal year, except for new hires determined by the
42 State Personnel Board to be essential for the agency. It is the
43 Legislature's intention that no employee salary falls below the



44 minimum salary established by the Mississippi State Personnel
45 Board.

46 Additionally, the State Personnel Board shall determine and
47 publish the projected annualized payroll costs based on current
48 employees. It shall be the responsibility of the agency head to
49 ensure that actual personnel expenditures for Fiscal Year 2025 do
50 not exceed the data provided by the Legislative Budget Office. If
51 the agency's projected cost for Fiscal Year 2025 exceeds the
52 annualized costs, no salary actions shall be processed by the
53 State Personnel Board except for new hires determined to be
54 essential for the agency.

55 Any transfers or escalations shall be made in accordance with
56 the terms, conditions, and procedures established by law or
57 allowable under the terms set forth within this act. The State
58 Personnel Board shall not escalate positions without written
59 approval from the Department of Finance and Administration. The
60 Department of Finance and Administration shall not provide written
61 approval to escalate any funds for salaries and/or positions
62 without proof of availability of new or additional funds above the
63 appropriated level.

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



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

72 **SECTION 3.** In addition to all other sums herein
73 appropriated, the following sum, or so much thereof as may be
74 necessary, is hereby appropriated out of any money in the State
75 Treasury to the credit of the Education Improvement Trust Fund No.
76 3219 for the purpose of investing funds for the fiscal year
77 beginning July 1, 2024, and ending June 30, 2025.....
78\$ 150,000.00.

79 **SECTION 4.** In addition to all other sums herein
80 appropriated, the following sum, or so much thereof as may be
81 necessary, is hereby appropriated out of any money in the State
82 Treasury to the credit of the Mississippi Prepaid Affordable
83 College Tuition Trust Fund for the purpose of paying all amounts
84 due for prepaid tuition contracts of the Mississippi Prepaid
85 Affordable College Tuition Program, for the fiscal year beginning
86 July 1, 2024, and ending June 30, 2025.....\$ 35,000,000.00.

87 It is the intention of the Legislature that the State
88 Treasurer is hereby authorized to accept, budget and expend an
89 amount not to exceed One Million Dollars (\$1,000,000.00) from any
90 funds authorized for the Mississippi Prepaid Affordable College
91 Tuition Program, for paying amounts due for prepaid tuition
92 contracts of the Mississippi Prepaid Affordable College Tuition



93 Program. Such funds shall be escalated in accordance with the
94 rules and regulations of the Department of Finance and
95 Administration in a manner consistent with the escalation of
96 federal funds.

97 **SECTION 5.** No part of the funds appropriated herein shall be
98 used in the payment of attorney's fees, nor shall any of said
99 funds be used either directly or indirectly, for the purpose of
100 paying any clerk, stenographer, assistant, deputy or other person
101 who may be related by blood or marriage within the third degree,
102 computed by the rules of the civil law, to the official employing
103 or having the right of employment or selection thereof; and in the
104 event of any such payment, then the official or person approving
105 and making or receiving such payment shall be jointly and
106 severally liable to return to the State of Mississippi and to pay
107 into the State Treasury three (3) times any such amount so paid or
108 received, to be recovered at suit of the Attorney General;
109 provided that when the relationship is by affinity and the person
110 through whom the relationship was established is dead, this
111 provision shall not apply.

112 **SECTION 6.** It is the intention of the Legislature that the
113 Office of the State Treasurer shall maintain complete accounting
114 and personnel records related to the expenditure of all funds
115 appropriated under the provisions of this act and that such
116 records shall be in the same format and level of details as
117 maintained for Fiscal Year 2024. It is further the intention of



118 the Legislature that the budget request for Fiscal Year 2026 shall
119 be submitted to the Joint Legislative Budget Committee in a format
120 and level of detail comparable to the format and level of detail
121 provided during the Fiscal Year 2025 budget request process.

122 **SECTION 7.** It is the intention of the Legislature that
123 whenever two (2) or more bids are received by this agency for the
124 purchase of commodities or equipment, and whenever all things
125 stated in such received bids are equal with respect to price,
126 quality and service, the Mississippi Industries for the Blind
127 shall be given preference. A similar preference shall be given to
128 the Mississippi Industries for the Blind whenever purchases are
129 made without competitive bids.

130 **SECTION 8.** Of the funds appropriated to the State Treasury
131 under the provisions of Section 1 of this act, the following
132 amounts shall be available for expenditure in the following
133 program budgets:

134 (a) Mississippi Prepaid Affordable College Tuition
135 program.....\$ 1,854,655.00.

136 (b) Mississippi Affordable College Savings
137 program.....\$ 177,860.00.

138 (c) Treasury Office - Support
139 programs.....\$ 4,156,730.00.

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



142 for purposes related to any program other than the Mississippi
143 Prepaid Affordable College Tuition program.

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

150 **SECTION 10.** This act shall take effect and be in force from
151 and after July 1, 2024, and shall stand repealed from and after
152 June 30, 2024.

