

## House Amendments to Senate Bill No. 3051

**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, 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 29, 2024.

HR13\SB3051A.J

Andrew Ketchings  
Clerk of the House of Representatives