

Senate Amendments to House Bill No. 1805

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE 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:

6 **SECTION 1.** The following sum, or so much thereof as may be
7 necessary, is appropriated out of any money in the State Treasury
8 to the credit of the Mississippi State Board of Physical Therapy,
9 for the purpose of defraying the expenses of the Mississippi State
10 Board of Physical Therapy for the fiscal year beginning
11 July 1, 2024, and ending June 30, 2025.....\$ 327,681.00.

12 **SECTION 2.** With the funds appropriated under the provisions
13 of Section 1, the following positions are authorized:

14 AUTHORIZED HEADCOUNT:

15 Permanent: 3
16 Time-Limited: 0

17 With the funds herein appropriated, it shall be the agency's
18 responsibility to make certain that funds required for Personal
19 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
20 appropriated for that purpose unless programs or positions are
21 added to the agency's Fiscal Year 2025 budget by the Mississippi
22 Legislature. The Legislature shall determine the agency's personal

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

47 Additionally, the State Personnel Board shall determine and
48 publish the projected annualized payroll costs based on current

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

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

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

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

73 **SECTION 3.** It is the intention of the Legislature that the
74 Mississippi State Board of Physical Therapy shall maintain

75 complete accounting and personnel records related to the
76 expenditure of all funds appropriated under this act and that such
77 records shall be in the same format and level of detail as
78 maintained for Fiscal Year 2024. It is further the intention of
79 the Legislature that the agency's budget request for Fiscal Year
80 2026 shall be submitted to the Joint Legislative Budget Committee
81 in a format and level of detail comparable to the format and level
82 of detail provided during the Fiscal Year 2025 budget request
83 process.

84 **SECTION 4.** It is the intention of the Legislature that
85 whenever two (2) or more bids are received by this agency for the
86 purchase of commodities or equipment, and whenever all things
87 stated in such received bids are equal with respect to price,
88 quality and service, the Mississippi Industries for the Blind
89 shall be given preference. A similar preference shall be given to
90 the Mississippi Industries for the Blind whenever purchases are
91 made without competitive bids.

92 **SECTION 5.** It is the intention of the Legislature that the
93 funds herein appropriated shall be expended in compliance with
94 Section 27-104-25, Mississippi Code of 1972, that no state agency
95 shall incur obligations or indebtedness in excess of their
96 appropriation and that the responsible officers, either personally
97 or upon their official bonds, shall be held responsible for
98 actions contrary to this provision.

99 **SECTION 6.** The money herein appropriated shall be paid by
100 the State Treasurer out of any money in the State Treasury to the

101 credit of the proper fund or funds as set forth in this act, upon
102 warrants issued by the State Fiscal Officer; and the State Fiscal
103 Officer shall issue his warrants upon requisitions signed by the
104 proper person, officer or officers, in the manner provided by law.

105 **SECTION 7.** This act shall take effect and be in force from
106 and after July 1, 2024, and shall stand repealed June 29, 2024.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR
4 2025.

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Amanda White
Secretary of the Senate