

By: Representative Taylor

To: Appropriations

HOUSE BILL NO. 470

1 AN ACT TO PROVIDE THAT WHENEVER THE NUMBER OF EMPLOYEES
2 AUTHORIZED FOR A STATE AGENCY IS INCREASED ABOVE THE NUMBER
3 AUTHORIZED FOR THE PREVIOUS FISCAL YEAR, AND SOME OR ALL OF THE
4 ADDITIONAL AUTHORIZED EMPLOYEES ARE NOT HIRED, THE AMOUNT OF MONEY
5 ALLOCATED IN THE CURRENT APPROPRIATION BILL FOR SALARIES FOR THE
6 ADDITIONAL AUTHORIZED EMPLOYEES THAT ARE NOT HIRED SHALL NOT BE
7 EXPENDED BY THE AGENCY TO INCREASE THE SALARY OF ANY OTHER
8 EMPLOYEE; AND FOR RELATED PURPOSES.

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

10 SECTION 1. (1) Whenever the number of authorized positions
11 for a state agency in its appropriation bill for the current
12 fiscal year is more than the number of authorized positions for
13 that agency in its appropriation bill for the previous fiscal
14 year, and some or all of the additional authorized positions are
15 not filled during the current fiscal year, the amount of money
16 allocated in the current fiscal year's appropriation bill for
17 salaries, wages and fringe benefits for the additional positions
18 that are not filled shall not be expended by the agency to
19 increase the salary, wages or fringe benefits for any other
20 position or expended for any other purpose.

21 (2) The amount of general funds allocated in the current
22 fiscal year's appropriation bill for the additional positions that
23 are not filled shall lapse into the State General Fund at the end
24 of the current fiscal year, and the amount of special funds
25 allocated in the current fiscal year's appropriation bill for the
26 additional positions that are not filled shall remain in the
27 special fund at the end of the current fiscal year unless they are
28 required by law to lapse into the State General Fund.

29 (3) If an executive head or other employee of a state agency

30 authorizes or allows any of the money allocated in the agency's
31 current fiscal year appropriation bill for salaries, wages and
32 fringe benefits for additional authorized positions that are not
33 filled, to be expended to increase the salary, wages or fringe
34 benefits for any other position or expended for any other purpose
35 in violation of this section, the executive head or other employee
36 shall be personally liable to the State of Mississippi for the
37 amount of money so authorized or allowed to be expended.

38 (4) The State Fiscal Officer shall not issue any warrant
39 authorizing any of the money allocated in a state agency's current
40 fiscal year appropriation bill for salaries, wages and fringe
41 benefits for additional authorized positions that are not filled,
42 to be expended to increase the salary, wages or fringe benefits
43 for any other position or expended for any other purpose in
44 violation of this section.

45 SECTION 2. This act shall take effect and be in force from
46 and after July 1, 1999.