

By: Representative Taylor

To: Appropriations

HOUSE BILL NO. 35

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, 2001.

