

By: Representative Brown

To: Appropriations

HOUSE BILL NO. 693  
(As Passed the House)

1 AN ACT TO AMEND SECTION 27-104-3, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO  
3 ASSIST A STATE AGENCY IN COLLECTING A FEE THAT ANOTHER STATE  
4 AGENCY HAS FAILED TO PAY TO IT; TO AUTHORIZE THE STATE FISCAL  
5 OFFICER TO PAY THE CREDITOR AGENCY THE AMOUNT OWED TO IT OUT OF  
6 ANY FUNDS IN THE STATE TREASURY TO THE CREDIT OF THE DELINQUENT  
7 AGENCY; TO PROVIDE FOR THE APPEAL OF THE TRANSFER OF, OR THE  
8 FAILURE TO TRANSFER, FUNDS UNDER THIS SECTION; AND FOR RELATED  
9 PURPOSES

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

11 **SECTION 1.** Section 27-104-3, Mississippi Code of 1972, is  
12 amended as follows:

13 27-104-3. In addition to other powers and duties prescribed  
14 by statute, the Department of Finance and Administration shall  
15 have the following powers and duties, with regard to fiscal  
16 management:

17 (a) Provide direct technical assistance and training to  
18 state agencies and departments in implementing generally accepted  
19 accounting principles, in preparing financial statements as  
20 required by law, and in management and executive development.

21 (b) Provide temporary administrative services in  
22 financial accounting and public administration to any state  
23 agency, department or institution upon request of the governing  
24 board of the state agency, department or institution.

25 (c) Prepare and issue a comprehensive reference manual  
26 or manuals of policies and procedures for each state agency and  
27 department to use, which may include chapters on purchasing,  
28 personnel, payroll, travel, chart of accounts, fund  
29 classifications, receipts, warrants, expenditures, fixed assets,  
30 property inventory, and maintaining financial records and

31 preparing financial reports as required and prescribed by law. The  
32 manual shall be revised on a continuing basis. The manual shall  
33 be prepared and revised in consultation with the State Auditor's  
34 office.

35 (d) Provide assistance to any state agency, department  
36 or institution in collecting a fee or other valid obligation that  
37 another agency, department or institution has failed to pay to it.  
38 For purposes of this paragraph, the agency, department or  
39 institution seeking to collect the funds shall be referred to as  
40 the "creditor agency," and the agency, department or institution  
41 that has not paid the creditor agency shall be referred to as the  
42 "delinquent agency." A valid obligation may be evidenced by an  
43 invoice or any other documentation as may be required by the  
44 Department of Finance and Administration, hereinafter referred to  
45 as the department. A creditor agency may request assistance from  
46 the department, and the department may require the creditor agency  
47 to furnish detailed information regarding the obligation. Upon  
48 determining that the delinquent agency owes the creditor agency a  
49 specific amount, the State Fiscal Officer shall pay to the  
50 creditor agency that amount out of any funds in the State Treasury  
51 to the credit of the delinquent agency. The State Fiscal Officer  
52 shall notify the creditor agency and the delinquent agency of the  
53 total amount of funds transferred. Either agency may appeal the  
54 transfer of funds or the failure to transfer funds, under rules  
55 and regulations promulgated by the department and approved by the  
56 Office of the State Auditor. The Department of Finance and  
57 Administration shall report any actions taken under this paragraph  
58 (d) to the Chairmen of the Appropriations Committees of the House  
59 of Representatives and the Senate on a quarterly basis. This  
60 paragraph (d) shall stand repealed on July 1, 2006.

61 **SECTION 2.** This act shall take effect and be in force from  
62 and after July 1, 2005.