

By: Senator(s) Gordon, Little

To: Appropriations

SENATE BILL NO. 2547

1 AN ACT TO AMEND SECTIONS 27-103-125, 27-103-139 AND
2 27-103-211, MISSISSIPPI CODE OF 1972, TO REVISE THE PERCENTAGE
3 LIMITATION ON LEGISLATIVE APPROPRIATIONS FROM THE STATE GENERAL
4 FUND FOR FISCAL YEAR 2006; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 27-103-125, Mississippi Code of 1972, is
7 amended as follows:

8 27-103-125. The proposed budget of each state agency shall
9 show the amounts required for operating expenses separately from
10 the amounts required for permanent improvements. The overall
11 budget shall show, separately by each source, the estimated amount
12 of general fund revenue and of special fund revenues of general
13 fund agencies. The total proposed expenditures in Part 1 of the
14 overall budget shall not exceed the amount of estimated revenues
15 that will be available in the general and special funds for
16 appropriation or use during the succeeding fiscal year, including
17 any balances that will be on hand in the general and special funds
18 at the close of the then current fiscal year. The total proposed
19 expenditures from the State General Fund in Part 1 of the overall
20 budget shall not exceed ninety-eight percent (98%) of the amount
21 of general fund revenue estimate for the succeeding fiscal year,
22 plus any unencumbered balances in general funds that will be
23 available and on hand at the close of the then current fiscal
24 year. However, for fiscal years 2004, 2005 and 2006 only, the
25 total proposed expenditures from the State General Fund in Part 1
26 of the overall budget shall not exceed one hundred percent (100%)
27 of the amount of the general fund revenue estimate for the
28 succeeding fiscal year, plus any unencumbered balances in general

29 funds that will be available and on hand at the close of the then
30 current fiscal year. The general fund revenue estimate shall be
31 the estimate jointly adopted by the Governor and the Joint
32 Legislative Budget Committee. Unencumbered balances in general
33 funds that will be available and on hand at the close of the
34 current fiscal year shall not include projected amounts required
35 to be deposited into the Working Cash-Stabilization Reserve Fund
36 under Section 27-103-203. The Legislative Budget Office may
37 recommend additional taxes or sources of revenue if in its
38 judgment those additional funds are necessary to adequately
39 support the functions of the state government.

40 **SECTION 2.** Section 27-103-139, Mississippi Code of 1972, is
41 amended as follows:

42 27-103-139. On or before November 15 preceding each regular
43 session of the Legislature, except the first regular session of a
44 new term of office, the Governor shall submit to the members of
45 the Legislature, the Legislative Budget Office or the
46 members-elect, as the case may be, and to the executive head of
47 each state agency a balanced budget for the succeeding fiscal
48 year. The budget submitted shall be prepared in a format that
49 will include performance measurement data associated with the
50 various programs operated by each agency. The total proposed
51 expenditures in the balanced budget shall not exceed the amount of
52 estimated revenues that will be available for appropriation or use
53 during the succeeding fiscal year, including any balances that
54 will be on hand at the close of the then current fiscal year, as
55 determined by the revenue estimate jointly adopted by the Governor
56 and the Legislative Budget Committee. The total proposed
57 expenditures from the State General Fund in the balanced budget
58 shall not exceed ninety-eight percent (98%) of the amount of
59 general fund revenue estimate for the succeeding fiscal year, plus
60 any unencumbered balances in general funds that will be available
61 and on hand at the close of the then current fiscal year.

62 However, for fiscal years 2004, 2005 and 2006 only, the total
63 proposed expenditures from the State General Fund in the balanced
64 budget shall not exceed one hundred percent (100%) of the amount
65 of the general fund revenue estimate for the succeeding fiscal
66 year, plus any unencumbered balances in general funds that will be
67 available and on hand at the close of the then current fiscal
68 year. The general fund revenue estimate shall be the estimate
69 jointly adopted by the Governor and the Joint Legislative Budget
70 Committee. Unencumbered balances in general funds that will be
71 available and on hand at the close of the fiscal year shall not
72 include projected amounts required to be deposited into the
73 Working Cash-Stabilization Reserve Fund and the Education
74 Enhancement Fund under Section 27-103-203.

75 The revenues used in preparing the balanced budget shall be
76 only those revenues that will be available under the general laws
77 of the state as they exist when the balanced budget is prepared,
78 and shall not include any proposed revenues that would become
79 available only after the enactment of new legislation. If the
80 Governor has any recommendations for additional proposed
81 expenditures or proposed revenues that are not included in his
82 balanced budget, he shall submit those recommendations in a
83 supplement that is separate from his balanced budget, and whenever
84 the Governor recommends any such additional proposed expenditures,
85 he also shall recommend proposed revenues that are sufficient to
86 fund the additional proposed expenditures, providing specific
87 details regarding the sources and the total amount of those
88 proposed revenues.

89 The Governor may employ a budget officer for the purpose of
90 receiving information from the State Fiscal Officer and preparing
91 his recommendations on the budget. If the Governor determines
92 that information received from the State Fiscal Officer is not
93 sufficient to enable him to prepare his budget recommendations, he
94 may request an appropriation from the Legislature to provide

95 additional staff within the Governor's Office for that purpose.
96 At the first regular session after his election for Governor, the
97 Governor shall submit any budget recommendations plus the required
98 revenue source recommendations no later than January 31 of that
99 year.

100 **SECTION 3.** Section 27-103-211, Mississippi Code of 1972, is
101 amended as follows:

102 27-103-211. The total sum appropriated by the Legislature
103 from the State General Fund for any fiscal year shall not exceed
104 ninety-eight percent (98%) of the general fund revenue estimate
105 for that fiscal year developed by the Tax Commission and the
106 University Research Center and adopted by the Joint Legislative
107 Budget Committee, plus any unencumbered balances in general funds
108 that will be available and on hand at the close of the then
109 current fiscal year. The unencumbered balances in general funds
110 that will be available and on hand at the close of the fiscal year
111 shall not include projected amounts required to be deposited into
112 the Working Cash-Stabilization Reserve Fund under Section
113 27-103-203. However, for fiscal years 2004, 2005 and 2006 only,
114 the total sum appropriated by the Legislature from the State
115 General Fund shall not exceed one hundred percent (100%) of the
116 amount of the general fund revenue estimate for that fiscal year,
117 plus any unencumbered balances in general funds that will be
118 available and on hand at the close of the then current fiscal
119 year.

120 **SECTION 4.** This act shall take effect and be in force from
121 and after July 1, 2005.