

By: Senator(s) Gordon (By Request)

To: Fees, Salaries and Administration

SENATE BILL NO. 2667  
(As Passed the Senate)

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 AUTHORIZE THE STATE FISCAL OFFICER TO  
5 PAY THE CREDITOR AGENCY THE AMOUNT OWED TO IT OUT OF ANY FUNDS IN  
6 THE STATE TREASURY TO THE CREDIT OF THE DELINQUENT AGENCY; TO  
7 PROVIDE FOR THE APPEAL OF THE TRANSFER OF, OR THE FAILURE TO  
8 TRANSFER, FUNDS UNDER THIS SECTION; AND FOR RELATED PURPOSES

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

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

12 27-104-3. In addition to other powers and duties prescribed  
13 by statute, the Department of Finance and Administration shall  
14 have the following powers and duties, with regard to fiscal  
15 management:

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

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

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

31 manual shall be revised on a continuing basis. The manual shall  
32 be prepared and revised in consultation with the State Auditor's  
33 office.

34 (d) Provide assistance to any state agency, department  
35 or institution in collecting a fee or other valid obligation that  
36 another agency, department or institution has failed to pay. For  
37 purposes of this paragraph, the agency, department or institution  
38 seeking to collect the funds shall be referred to as the "creditor  
39 agency," and the agency, department or institution that has not  
40 paid the creditor agency shall be referred to as the "delinquent  
41 agency." A valid obligation may be evidenced by an invoice or any  
42 other documentation as may be required by the Department of  
43 Finance and Administration, hereinafter referred to as the  
44 department. A creditor agency may request assistance from the  
45 department, and the department may require the creditor agency to  
46 furnish detailed information regarding the obligation. Upon  
47 determining that the delinquent agency owes the creditor agency a  
48 specific amount, the State Fiscal Officer shall pay to the  
49 creditor agency that amount out of any funds in the State Treasury  
50 to the credit of the delinquent agency during the current and  
51 subsequent fiscal years. The State Fiscal Officer shall notify  
52 the creditor agency and the delinquent agency of the total amount  
53 of funds transferred. Either agency may appeal the transfer of  
54 funds or the failure to transfer funds, under rules and  
55 regulations promulgated by the department and approved by the  
56 Office of the State Auditor.

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