

**Adopted
AMENDMENT NO 1 PROPOSED TO**

Senate Bill No. 2667

BY: Senator(s) Gordon

**Amend by striking all after the enacting clause and inserting
in lieu thereof the following:**

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.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

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