

By: Senator(s) Hopson, Polk, Blackwell,
Simmons (13th), Williams

To: Appropriations

SENATE BILL NO. 3050
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2024.

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

4 **SECTION 1.** The following sum of money, or so much thereof as
5 may be necessary, is hereby appropriated out of any money in the
6 special fund in the State Treasury to the credit of the State
7 Treasurer's office which are collected by or otherwise become
8 available, to defray the expenses of the Office of the State
9 Treasurer for the fiscal year beginning July 1, 2023, and ending
10 June 30, 2024.....\$ 6,280,736.00.

11 **SECTION 2.** Of the funds appropriated in Section 1 of this
12 act, the following positions are authorized:

13 AUTHORIZED HEADCOUNT:

14 Permanent: 37
15 Time-Limited: 0

16 With the funds herein appropriated, it shall be the agency's
17 responsibility to make certain that funds required for Personal
18 Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds



19 appropriated for that purpose unless programs or positions are
20 added to the agency's Fiscal Year 2024 budget by the Mississippi
21 Legislature. The Legislature shall determine the agency's
22 personal services appropriation, which the State Personnel Board
23 shall publish. The agency's personal services appropriation may
24 consist of restricted funds for approved vacancies for Fiscal Year
25 2024 that may not be utilized for active Fiscal Year 2023
26 headcount. It shall be the agency's responsibility to ensure that
27 the funds provided for vacancies are used to increase headcount
28 and not for promotions, title changes, in-range salary adjustments
29 or any other mechanism for increasing salaries for current
30 employees. It is the Legislature's intention that no employee
31 salary falls below the minimum salary established by the
32 Mississippi State Personnel Board.

33 Additionally, the State Personnel Board shall determine and
34 publish the projected annualized payroll costs based on current
35 employees. It shall be the responsibility of the agency head to
36 ensure that actual personnel expenditures for Fiscal Year 2024 do
37 not exceed the data provided by the Legislative Budget Office. If
38 the agency's Fiscal Year 2024 projected cost exceeds the
39 annualized costs, no salary actions shall be processed by the
40 State Personnel Board except for new hires determined to be
41 essential for the agency.

42 Any transfers or escalations shall be made in accordance with
43 the terms, conditions, and procedures established by law or



44 allowable under the terms set forth within this act. The State
45 Personnel Board shall not escalate positions without written
46 approval from the Department of Finance and Administration. The
47 Department of Finance and Administration shall not provide written
48 approval to escalate any funds for salaries and/or positions
49 without proof of availability of new or additional funds above the
50 appropriated level.

51 No general funds authorized to be expended herein shall be
52 used to replace federal funds and/or other special funds used for
53 salaries authorized under the provisions of this act and which are
54 withdrawn and no longer available.

55 None of the funds herein appropriated shall be used in
56 violation of the Internal Revenue Service's Publication 15-A
57 relating to the reporting of income paid to contract employees, as
58 interpreted by the Office of the State Auditor.

59 **SECTION 3.** In addition to all other sums herein
60 appropriated, the following sum, or so much thereof as may be
61 necessary, is hereby appropriated out of any money in the State
62 Treasury to the credit of the Education Improvement Trust Fund No.
63 3219 for the purpose of investing funds for the fiscal year
64 beginning July 1, 2023, and ending June 30, 2024.....
65\$ 150,000.00.

66 **SECTION 4.** In addition to all other sums herein
67 appropriated, the following sum, or so much thereof as may be
68 necessary, is hereby appropriated out of any money in the State



69 Treasury to the credit of the Mississippi Prepaid Affordable
70 College Tuition Trust Fund for the purpose of paying all amounts
71 due for prepaid tuition contracts of the Mississippi Prepaid
72 Affordable College Tuition Program, for the fiscal year beginning
73 July 1, 2023, and ending June 30, 2024.....\$ 35,000,000.00.

74 It is the intention of the Legislature that the State
75 Treasurer is hereby authorized to accept, budget and expend an
76 amount not to exceed One Million Dollars (\$1,000,000.00) from any
77 funds authorized for the Mississippi Prepaid Affordable College
78 Tuition Program, for paying amounts due for prepaid tuition
79 contracts of the Mississippi Prepaid Affordable College Tuition
80 Program. Such funds shall be escalated in accordance with the
81 rules and regulations of the Department of Finance and
82 Administration in a manner consistent with the escalation of
83 federal funds.

84 **SECTION 5.** No part of the funds appropriated herein shall be
85 used in the payment of attorney's fees, nor shall any of said
86 funds be used either directly or indirectly, for the purpose of
87 paying any clerk, stenographer, assistant, deputy or other person
88 who may be related by blood or marriage within the third degree,
89 computed by the rules of the civil law, to the official employing
90 or having the right of employment or selection thereof; and in the
91 event of any such payment, then the official or person approving
92 and making or receiving such payment shall be jointly and
93 severally liable to return to the State of Mississippi and to pay



94 into the State Treasury three (3) times any such amount so paid or
95 received, to be recovered at suit of the Attorney General;
96 provided that when the relationship is by affinity and the person
97 through whom the relationship was established is dead, this
98 provision shall not apply.

99 **SECTION 6.** It is the intention of the Legislature that the
100 Office of the State Treasurer shall maintain complete accounting
101 and personnel records related to the expenditure of all funds
102 appropriated under the provisions of this act and that such
103 records shall be in the same format and level of details as
104 maintained for Fiscal Year 2023. It is further the intention of
105 the Legislature that the budget request for Fiscal Year 2025 shall
106 be submitted to the Joint Legislative Budget Committee in a format
107 and level of detail comparable to the format and level of detail
108 provided during the Fiscal Year 2024 budget request process.

109 **SECTION 7.** It is the intention of the Legislature that
110 whenever two (2) or more bids are received by this agency for the
111 purchase of commodities or equipment, and whenever all things
112 stated in such received bids are equal with respect to price,
113 quality and service, the Mississippi Industries for the Blind
114 shall be given preference. A similar preference shall be given to
115 the Mississippi Industries for the Blind whenever purchases are
116 made without competitive bids.

117 **SECTION 8.** Of the funds appropriated to the State Treasury
118 under the provisions of Section 1 of this act, the following



119 amounts shall be available for expenditure in the following
120 program budgets:

121 (a) Mississippi Prepaid Affordable College Tuition
122 program.....\$ 1,854,655.00.

123 (b) Mississippi Affordable College Savings
124 program.....\$ 177,860.00.

125 (c) Treasury Office - Support
126 programs.....\$ 4,248,221.00.

127 Further, no funds to the credit of the Mississippi Prepaid
128 Affordable College Tuition Administrative Fund shall be expended
129 for purposes related to any program other than the Mississippi
130 Prepaid Affordable College Tuition program.

131 **SECTION 9.** The money herein appropriated shall be paid by
132 the State Treasurer out of any money in the State Treasury to the
133 credit of the proper fund or funds as set forth in this act, upon
134 warrants issued by the State Fiscal Officer; and the State Fiscal
135 Officer shall issue his warrants upon requisitions signed by the
136 proper person, officer or officers in the manner provided by law.

137 **SECTION 10.** This act shall take effect and be in force from
138 and after July 1, 2023.

