

Senate Amendments to House Bill No. 1818

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

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

7 **SECTION 1.** The following sum, or so much thereof as may be
8 necessary, is appropriated out of any money in the State Treasury
9 to the credit of the Administrative Expense Account of the Public
10 Employees' Retirement System for the purpose of defraying the
11 administrative expenses of the Board of Trustees of the Public
12 Employees' Retirement System, or out of any money in the State
13 Treasury to the credit of the Retirement System Building Account
14 of the Public Employees' Retirement System for the purpose of
15 maintenance and general operation of the Retirement System
16 Building, for the fiscal year beginning July 1, 2024, and ending
17 June 30, 2025.....\$ 19,645,422.00.

18 **SECTION 2.** Of the funds appropriated under the provisions of
19 Section 1, the following positions are authorized:

20 AUTHORIZED HEADCOUNT:
21 Permanent: 167
22 Time-Limited: 0

23 With the funds herein appropriated, it shall be the agency's
24 responsibility to make certain that funds required for Personal
25 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds
26 appropriated for that purpose unless programs or positions are
27 added to the agency's Fiscal Year 2025 budget by the Mississippi
28 Legislature. The Legislature shall determine the agency's personal
29 services appropriation, which the State Personnel Board shall
30 publish. In accordance with applicable laws, if an agency
31 determines that its personal services amount is insufficient, the
32 agency must contact the State Personnel Board. Any adjustment to
33 the personal services amount must be approved by the State
34 Personnel Director and the State Fiscal Officer after consultation
35 with the Legislative Budget Office. Any adjustment shall be
36 reported to the Legislative Budget Office and the House and Senate
37 Appropriations Chairmen. The agency's personal services
38 appropriation may consist of restricted funds for approved
39 vacancies for Fiscal Year 2025 that may not be utilized for active
40 Fiscal Year 2024 headcount. It shall be the agency's
41 responsibility to ensure that the funds provided for vacancies are
42 used to increase headcount and not for promotions, title changes,
43 in-range salary adjustments, or any other mechanism for increasing
44 salaries for current employees. If the State Personnel Board
45 determines that an agency has used provided vacancy funds for any
46 of the mechanisms previously listed, the State Personnel Board
47 shall not process any additional salary actions for the agency in
48 the current fiscal year, except for new hires determined by the

49 State Personnel Board to be essential for the agency. It is the
50 Legislature's intention that no employee salary falls below the
51 minimum salary established by the Mississippi State Personnel
52 Board.

53 Additionally, the State Personnel Board shall determine and
54 publish the projected annualized payroll costs based on current
55 employees. It shall be the responsibility of the agency head to
56 ensure that actual personnel expenditures for Fiscal Year 2025 do
57 not exceed the data provided by the Legislative Budget Office. If
58 the agency's projected cost for Fiscal Year 2025 exceeds the
59 annualized costs, no salary actions shall be processed by the
60 State Personnel Board except for new hires determined to be
61 essential for the agency.

62 Any transfers or escalations shall be made in accordance with
63 the terms, conditions, and procedures established by law or
64 allowable under the terms set forth within this act. The State
65 Personnel Board shall not escalate positions without written
66 approval from the Department of Finance and Administration. The
67 Department of Finance and Administration shall not provide written
68 approval to escalate any funds for salaries and/or positions
69 without proof of availability of new or additional funds above the
70 appropriated level.

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

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

79 **SECTION 3.** It is the intention of the Legislature that the
80 Board of Trustees of the Public Employees' Retirement System shall
81 maintain complete accounting and personnel records related to the
82 expenditure of all funds appropriated under this act and that such
83 records shall be in the same format and level of detail as
84 maintained for Fiscal Year 2024. It is further the intention of
85 the Legislature that the agency's budget request for Fiscal Year
86 2026 shall be submitted to the Joint Legislative Budget Committee
87 in a format and level of detail comparable to the format and level
88 of detail provided during the Fiscal Year 2025 budget request
89 process.

90 **SECTION 4.** In accordance with the purposes of this article,
91 there shall be established in the State Treasury the Public
92 Employees' Retirement System Building Repair and Maintenance Fund,
93 into which shall be deposited all funds collected as rental income
94 from the building owned by the system located at 301 North
95 President Street, Jackson, Mississippi. At the end of each fiscal
96 year, any and all unexpended funds shall be transferred to the
97 Administrative Budget Fund of the system.

98 **SECTION 5.** It is the intention of the Legislature that
99 whenever two (2) or more bids are received by this agency for the
100 purchase of commodities or equipment, and whenever all things

101 stated in such received bids are equal with respect to price,
102 quality and service, the Mississippi Industries for the Blind
103 shall be given preference. A similar preference shall be given to
104 the Mississippi Industries for the Blind whenever purchases are
105 made without competitive bids.

106 **SECTION 6.** Of the funds appropriated in Section 1, no more
107 than Three Million Five Hundred Thirty-eight Thousand Dollars
108 (\$3,538,000.00) is provided for the purpose of defraying those
109 expenses associated with maintaining, upgrading and operating the
110 computer system.

111 **SECTION 7.** As a condition of expending the funds
112 appropriated in Section 1 of this act, the Board of Trustees of
113 the Public Employees' Retirement System shall:

- 114 a. Purchase equipment to live webcast board meetings; and
115 b. Live webcast and record all board meetings, excluding any
116 executive sessions of the board under the provision of the
117 Mississippi Open Meetings Act. Archived footage or a weblink to
118 the archived footage shall be posted on the agency website within
119 Forty-eight (48) hours of the date and time the meeting was held.

120 **SECTION 8.** The Public Employees' Retirement System is
121 further authorized, in its discretion, to expend funds for the
122 purchase of service pins for employees of the Public Employees'
123 Retirement System.

124 **SECTION 9.** Of the funds appropriated in Section 1, no more
125 than Three Hundred Thousand Dollars (\$300,000.00) is provided,
126 only for the explicit purpose of building maintenance and repair.

127 **SECTION 10.** It is the intention of the Legislature that the
128 funds herein appropriated shall be expended in compliance with
129 Section 27-104-25, Mississippi Code of 1972, that no state agency
130 shall incur obligations or indebtedness in excess of their
131 appropriation and that the responsible officers, either personally
132 or upon their official bonds, shall be held responsible for
133 actions contrary to this provision.

134 **SECTION 11.** The money herein appropriated shall be paid by
135 the State Treasurer out of any money in the State Treasury to the
136 credit of the proper fund or funds as set forth in this act, upon
137 warrants issued by the State Fiscal Officer; and the State Fiscal
138 Officer shall issue his warrants upon requisitions signed by the
139 proper person, officer or officers, in the manner provided by law.

140 **SECTION 12.** This act shall take effect and be in force from
141 and after July 1, 2024, and shall stand repealed June 29, 2024.

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

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE
3 EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES'
4 RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE
5 RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2025.

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Amanda White
Secretary of the Senate