

2/11 10:52am  
Chapter No. 321  
10/SS26/R819SG  
JV / ASSG

***SENATE BILL NO. 2495***

Originated in Senate *Jenabou Guynes* Secretary

SENATE BILL NO. 2495

AN ACT TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER CERTAIN SUMS TO THE BUDGET CONTINGENCY FUND DURING FISCAL YEAR 2010 FOR THE PURPOSE OF PROVIDING FUNDS TO RESTORE A PORTION OF THE BUDGET CUTS MADE TO CERTAIN AGENCIES DURING FISCAL YEAR 2010; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER SPECIFIED SUMS TO CERTAIN AGENCIES FROM THE AMOUNT TRANSFERRED TO THE BUDGET CONTINGENCY FUND; TO AUTHORIZE THE AGENCIES TO WHICH THE FUNDS ARE TRANSFERRED TO ESCALATE THEIR BUDGETS AND EXPEND THOSE FUNDS FOR THE PURPOSES AUTHORIZED BY LAW, SUBJECT TO CERTAIN CONDITIONS; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN SUM TO THE SCHOOL DISTRICT EMERGENCY ASSISTANCE FUND AND TO AUTHORIZE THE STATE DEPARTMENT OF EDUCATION TO ESCALATE THE APPROPRIATE BUDGET BY THAT AMOUNT AND EXPEND THAT SUM FOR THE PURPOSES AUTHORIZED BY LAW, SUBJECT TO CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

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

**SECTION 1.** (1) For the purpose of providing funds to restore a portion of the reductions in allocations of funds to the agencies listed in subsection (2) of this section made by the State Fiscal Officer under Section 27-104-13 during fiscal year 2010, the State Fiscal Officer shall transfer to the Budget Contingency Fund during fiscal year 2010, out of the following enumerated funds, the amounts listed below from each fund:

AGENCY/FUND	FUND NO.	AMOUNT
Health Care Expendable Fund	3989	\$58,000,000.00
Public Service Commission	3811	5,000,000.00
Department of Education - Mississippi Adequate Education Program	2230	5,000,000.00
Governor's Office - Division of Medicaid	2328	14,000,000.00
TOTAL		\$82,000,000.00

(2) From the funds transferred to the Budget Contingency Fund under subsection (1) of this section, the State Fiscal Officer shall transfer the following specified sums to the agencies listed below:

AGENCY	AMOUNT
District attorneys and staff .....	\$ 1,491,817.00
State Tax Commission .....	1,000,000.00
Education, Department of:	
National Board Certification .....	2,036,095.00
Education, Department of:	
Chickasaw Cession counties .....	1,126,768.00
Education, Department of:	
Mississippi Adequate Education Program .....	33,908,173.00
IHL - Ayers funding .....	2,248,369.00
IHL - University of Mississippi Medical Center ....	750,000.00
IHL - ASU - Agricultural programs .....	139,384.00
IHL - MSU - Agricultural and	
Forestry Experiment Station .....	267,778.00
IHL - MSU - Cooperative Extension Service .....	267,777.00
IHL - MSU - Veterinary Medicine, College of .....	385,784.00
Health, State Department of .....	875,000.00
Mental Health, Department of .....	4,000,000.00
Corrections, Department of .....	16,000,000.00
Human Services, Department of .....	2,500,000.00
Rehabilitation Services, Department of .....	200,000.00
Military Department .....	61,856.00
Public Safety, Department of:	
Crime Laboratory .....	45,421.00
Public Safety, Department of:	
Highway Safety Patrol Division .....	1,765,198.00
Public Safety, Department of:	
Bureau of Narcotics .....	69,947.00
Veterans' Affairs Board .....	1,173,727.00

Department of Finance and Administration:

Property insurance ..... 7,100,000.00

Department of Finance and Administration:

Cost allocation due federal government ..... 3,300,000.00

Attorney General:

Judgments and settlements ..... 1,286,906.00

TOTAL ..... \$ 82,000,000.00

(3) The agencies listed in subsection (2) of this section are authorized to escalate their budgets by the respective amounts specified for each agency and expend those sums for the purposes authorized by law, subject to the following provision:

The Department of Public Safety shall not be authorized to transfer any funds from the budgets of the Crime Laboratory, Highway Safety Patrol Division and the Bureau of Narcotics to any other budget of the department.

SECTION 2. (1) During fiscal year 2010, the State Fiscal Officer shall transfer to the Budget Contingency Fund, out of the following enumerated funds, the amounts listed below from each fund:

AGENCY/FUND	FUND NO.	AMOUNT
Drug Court Fund	3060	\$ 900,000.00
Youth Court Support Fund	3062	800,000.00
TOTAL		\$1,700,000.00

(2) From the funds transferred to the Budget Contingency Fund under subsection (1) of this section, the State Fiscal Officer shall transfer the following specified sums to the agencies listed below:

AGENCY	AMOUNT
Supreme Court	\$ 567,300.00
Court of Appeals	203,700.00
Trial judges	929,000.00
TOTAL	\$1,700,000.00

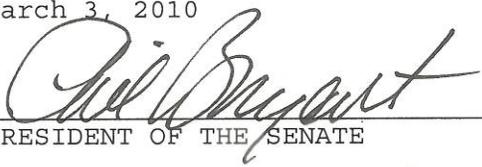
(3) The agencies listed in subsection (2) of this section are authorized to escalate their budgets by the respective amounts specified for each agency and expend those sums for the purposes authorized by law.

**SECTION 3.** During fiscal year 2010, the State Fiscal Officer shall transfer to the School District Emergency Assistance Fund created in Section 37-17-6(14)(b) the sum of One Million Dollars (\$1,000,000.00) from the Mississippi Adequate Education Program budget of the State Department of Education (Fund No. 2230). The department is authorized to escalate the appropriate budget by the amount specified in this section and expend that sum for the purposes authorized by law, subject to the following provision:

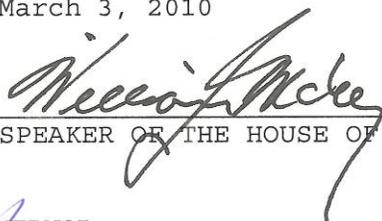
No funds provided in this section shall be expended by the State Department of Education for the support of a school district in which the Governor has declared a state of emergency until the State Board of Education has appointed and assigned an interim conservator to the school district. The department shall provide to the House and Senate Education Committees and the House and Senate Appropriations Committees a monthly report of all expenditures that it makes for the support of a school district from the funds provided in this section during the period that the school district is administered, managed and operated by an interim conservator.

**SECTION 4.** This act shall take effect and be in force from and after its passage.

PASSED BY THE SENATE  
March 3, 2010

  
\_\_\_\_\_  
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 3, 2010

  
\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR

  
\_\_\_\_\_  
GOVERNOR

3/11/10 10:57 AM 