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Chapter No. 32
19/HR43/A531SG
CST / FF

HOUSE BILL NO. 1618

Originated in House _____ Clerk

HOUSE BILL NO. 1618

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2020.

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

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Administrative Expense Account of the Public Employees' Retirement System for the purpose of defraying the administrative expenses of the Board of Trustees of the Public Employees' Retirement System, or out of any money in the State Treasury to the credit of the Retirement System Building Account of the Public Employees' Retirement System for the purpose of maintenance and general operation of the Retirement System Building, for the fiscal year beginning July 1, 2019, and ending June 30, 2020 ..... $ 16,114,043.00.

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

AUTHORIZED POSITIONS:

Permanent:	Full Time	171
	Part Time	0
Time-Limited:	Full Time	0
	Part Time	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required to be appropriated for "Personal Services" for Fiscal Year 2021 do not exceed Fiscal Year 2020 funds appropriated for that purpose, unless programs or positions are added to the agency's Fiscal Year 2020 budget by the Mississippi Legislature. Based on data provided by the Legislative Budget Office, the State Personnel Board shall determine and publish the projected annual cost to fully fund all appropriated positions in compliance with the provisions of this act. It shall be the responsibility of the agency head to ensure that no single personnel action increases this projected annual cost and/or the Fiscal Year 2020 appropriations for "Personal Services" when annualized, with the exception of escalated funds and the award of benchmarks. If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken an action which would cause the agency to exceed this projected annual cost or the Fiscal Year 2020 "Personal Services" appropriated level, when annualized, then only those actions which reduce the projected annual cost and/or the appropriation

requirement will be processed by the State Personnel Board until such time as the requirements of this provision are met.

Funds are provided herein for all full-time employees to receive up to a Three Percent (3%) pay increase to the realignment component of the Variable Compensation Plan, excluding head of agencies, board members and commission members.

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

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

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

SECTION 3. It is the intention of the Legislature that the Board of Trustees of the Public Employees' Retirement System shall

maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2019. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2021 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2020 budget request process.

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

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Administrative Expense Account of the Public Employees' Retirement System, for the purpose of defraying those expenses associated with a replacement computer system, for the fiscal year beginning July 1, 2019, and ending June 30, 2020 .... $ 3,900,000.00.

SECTION 7. The Public Employees' Retirement System is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Public Employees' Retirement System.

SECTION 8. Of the funds appropriated in Section 1, no more than Three Hundred Thousand Dollars ($300,000.00) is provided, only for the explicit purpose of building maintenance and repair.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon

warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2019.

PASSED BY THE HOUSE OF REPRESENTATIVES
March 27, 2019.

Philip Gunn

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
March 28, 2019

Tate Reeves

PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

Phil Bryant

GOVERNOR

April 16, 2019
10:19 AM