

By: Representatives Read, Bennett, Barton, Boyd, Busby, Clark, Clarke, Criswell, Currie, Eure, Haney, Jackson, Sanford, Watson, Young, Hale

To: Appropriations

HOUSE BILL NO. 1598

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL
3 YEAR 2023.

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

5 **SECTION 1.** The following sum, or so much thereof as may be
6 necessary, is appropriated out of any money in the State General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Mississippi Arts Commission for the fiscal year
9 beginning July 1, 2022, and ending June 30, 2023.....
10 \$ 1,249,411.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the Mississippi Arts
14 Commission which is comprised of special source funds and
15 donations collected by or otherwise available to the commission,
16 for the purpose of defraying the expenses of the commission for
17 the fiscal year beginning July 1, 2022, and ending June 30, 2023 .
18 \$ 1,587,000.00.



19 **SECTION 3.** Of the funds appropriated under the provisions of
20 this act, the following positions are authorized:

21 AUTHORIZED POSITIONS:

22	Permanent:	Full Time	9
23		Part Time	0
24	Time-Limited:	Full Time	2
25		Part Time	0

26 With the funds herein appropriated, it shall be the agency's
27 responsibility to make certain that funds required for "Personal
28 Services" for Fiscal Year 2024 do not exceed Fiscal Year 2023
29 funds appropriated for that purpose unless programs or positions
30 are added to the agency's Fiscal Year 2023 budget by the
31 Mississippi Legislature. The Legislature shall determine the
32 agency's personal services appropriation, which shall be published
33 by the State Personnel Board. Additionally, the State Personnel
34 Board shall determine and publish the projected annualized payroll
35 costs based on current employees. It shall be the responsibility
36 of the agency head to ensure that actual personnel expenditures
37 for Fiscal Year 2023 do not exceed the data provided by the
38 Legislative Budget Office. If the agency's Fiscal Year 2023
39 projected cost exceeds the annualized costs, no salary actions
40 shall be processed by the State Personnel Board with the exception
41 of new hires that are determined to be 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 which are
53 being used for salaries authorized under the provisions of this
54 act and which are withdrawn and no longer available.

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

59 Funds have been appropriated herein for the purpose of
60 funding Project SEC2 minimum salaries for all employees covered
61 under the Colonel Guy Groff/Neville Kenning Variable Compensation
62 Plan. It shall be the agency's responsibility to ensure that the
63 funds are used to increase all employees' salaries up to the
64 minimum level as determined by the State Personnel Board.

65 **SECTION 4.** It is the intention of the Legislature that the
66 Mississippi Arts Commission shall maintain complete accounting and
67 personnel records related to the expenditure of all funds
68 appropriated under this act and that such records shall be in the



69 same format and level of detail as maintained for Fiscal Year
70 2022. It is further the intention of the Legislature that the
71 agency's budget request for Fiscal Year 2024 shall be submitted to
72 the Joint Legislative Budget Committee in a format and level of
73 detail comparable to the format and level of detail provided
74 during the Fiscal Year 2023 budget request process.

75 **SECTION 5.** Of the funds appropriated under the provisions of
76 Section 2, funds in the amount of Four Hundred Ninety Thousand
77 Dollars (\$490,000.00) shall be derived from the Education
78 Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31,
79 Mississippi Code of 1972, for the following:

80	Training of educators and promotion	
81	of arts programs in public schools	\$100,000.00
82	Miscellaneous grants and programs	\$ 350,000.00
83	Whole Schools Initiative	\$ 40,000.00

84 **SECTION 6.** It is the intention of the Legislature that the
85 Arts Commission shall have the authority to transfer dollars
86 appropriated herein designated for the "Challenge Program,"
87 specific amounts to a special fund in the State Treasury called
88 the Arts Commission Challenge Initiative Fund. The unexpended
89 amounts remaining in the fund at the end of a fiscal year shall
90 not lapse into the State General Fund and may be expended by the
91 commission in subsequent fiscal years upon appropriation of the
92 Legislature. Any interest earned on the fund shall be deposited
93 to the credit of the fund and may be disbursed by the commission



94 upon appropriations of the Legislature. It is the intention of
95 the Legislature that the commission may award grants to arts
96 organizations from monies in the fund and the grantees will be
97 required to provide matching funds for the grants in an amount of
98 not less than two (2) times the amount of the grant.

99 **SECTION 7.** It is the intention of the Legislature that
100 whenever two (2) or more bids are received by this agency for the
101 purchase of commodities or equipment, and whenever all things
102 stated in such received bids are equal with respect to price,
103 quality and service, the Mississippi Industries for the Blind
104 shall be given preference. A similar preference shall be given to
105 the Mississippi Industries for the Blind whenever purchases are
106 made without competitive bids.

107 **SECTION 8.** It is the intention of the Legislature that the
108 funds herein appropriated shall be expended in compliance with
109 Section 27-104-25, Mississippi Code of 1972, that no state agency
110 shall incur obligations or indebtedness in excess of their
111 appropriation and that the responsible officers, either personally
112 or upon their official bonds, shall be held responsible for
113 actions contrary to this provision.

114 **SECTION 9.** The money herein appropriated shall be paid by
115 the State Treasurer out of any money in the State Treasury to the
116 credit of the proper fund or funds as set forth in this act, upon
117 warrants issued by the State Fiscal Officer; and the State Fiscal



118 Officer shall issue his warrants upon requisitions signed by the
119 proper person, officer or officers, in the manner provided by law.

120 **SECTION 10.** This act shall take effect and be in force from
121 and after July 1, 2022, and shall stand repealed June 30, 2022.

