

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

To: Appropriations

HOUSE BILL NO. 1598  
(As Sent to Governor)

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 .....\$ 1,423,208.00.

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 .....\$ 5,587,000.00.



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

21       AUTHORIZED HEADCOUNT:

22           Permanent:                   10

23           Time-Limited:                2

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

40           Any transfers or escalations shall be made in accordance with  
41 the terms, conditions and procedures established by law or  
42 allowable under the terms set forth within this act. The State  
43 Personnel Board shall not escalate positions without written



44 approval from the Department of Finance and Administration. The  
45 Department of Finance and Administration shall not provide written  
46 approval to escalate any funds for salaries and/or positions  
47 without proof of availability of new or additional funds above the  
48 appropriated level.

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

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

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

63 **SECTION 4.** It is the intention of the Legislature that the  
64 Mississippi Arts Commission shall maintain complete accounting and  
65 personnel records related to the expenditure of all funds  
66 appropriated under this act and that such records shall be in the  
67 same format and level of detail as maintained for Fiscal Year  
68 2022. It is further the intention of the Legislature that the



69 agency's budget request for Fiscal Year 2024 shall be submitted to  
70 the Joint Legislative Budget Committee in a format and level of  
71 detail comparable to the format and level of detail provided  
72 during the Fiscal Year 2023 budget request process.

73 **SECTION 5.** Of the funds appropriated under the provisions of  
74 Section 2, funds in the amount of One Million Four Hundred Ninety  
75 Thousand Dollars (\$1,490,000.00) shall be derived from the  
76 Education Enhancement Fund deposited pursuant to Sections 27-65-75  
77 and 27-67-31, Mississippi Code of 1972, for the following:

78 Training of educators and promotion of arts programs in  
79 public schools.....\$100,000.00  
80 Miscellaneous grants and programs.....\$350,000.00  
81 Whole Schools Initiative.....\$1,040,000.00

82 **SECTION 6.** Of the funds appropriated under the provisions of  
83 Section 2, Three Million Dollars (\$3,000,000.00), or so much  
84 thereof, shall be derived out of any money in the State Treasury  
85 to the credit of the Capital Expense Fund, as created in Section  
86 27-103-303, Mississippi Code of 1972, and allocated in a manner as  
87 determined by the Treasurer's Office. This appropriation is made  
88 for the purpose of providing the funds necessary to authorize the  
89 expenditure of funds for the funding of the Building Fund for the  
90 Arts Initiative.

91 **SECTION 7.** It is the intention of the Legislature that the  
92 Arts Commission shall have the authority to transfer dollars  
93 appropriated herein designated for the "Challenge Program,"



94 specific amounts to a special fund in the State Treasury called  
95 the Arts Commission Challenge Initiative Fund. The unexpended  
96 amounts remaining in the fund at the end of a fiscal year shall  
97 not lapse into the State General Fund and may be expended by the  
98 commission in subsequent fiscal years upon appropriation of the  
99 Legislature. Any interest earned on the fund shall be deposited  
100 to the credit of the fund and may be disbursed by the commission  
101 upon appropriations of the Legislature. It is the intention of  
102 the Legislature that the commission may award grants to arts  
103 organizations from monies in the fund and the grantees will be  
104 required to provide matching funds for the grants in an amount of  
105 not less than two (2) times the amount of the grant.

106       **SECTION 8.** It is the intention of the Legislature that  
107 whenever two (2) or more bids are received by this agency for the  
108 purchase of commodities or equipment, and whenever all things  
109 stated in such received bids are equal with respect to price,  
110 quality and service, the Mississippi Industries for the Blind  
111 shall be given preference. A similar preference shall be given to  
112 the Mississippi Industries for the Blind whenever purchases are  
113 made without competitive bids.

114       **SECTION 9.** It is the intention of the Legislature that the  
115 funds herein appropriated shall be expended in compliance with  
116 Section 27-104-25, Mississippi Code of 1972, that no state agency  
117 shall incur obligations or indebtedness in excess of their  
118 appropriation and that the responsible officers, either personally



119 or upon their official bonds, shall be held responsible for  
120 actions contrary to this provision.

121       **SECTION 10.** The money herein appropriated shall be paid by  
122 the State Treasurer out of any money in the State Treasury to the  
123 credit of the proper fund or funds as set forth in this act, upon  
124 warrants issued by the State Fiscal Officer; and the State Fiscal  
125 Officer shall issue his warrants upon requisitions signed by the  
126 proper person, officer or officers, in the manner provided by law.

127       **SECTION 11.** This act shall take effect and be in force from  
128 and after July 1, 2022.

