

By: Representatives Oliver, Read, Arnold,  
Boyd (19th), Hines, Mangold, Massengill,  
Roberson, Scoggin

To: Appropriations E;  
Appropriations A

HOUSE BILL NO. 1822

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL  
3 YEAR 2025.

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, 2024, and ending June 30, 2025.....  
10 .....\$ 1,531,671.00.

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, 2024, and ending June 30, 2025..  
18 .....\$ 2,661,700.00.



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 2026 do not exceed Fiscal Year 2025 funds  
27 appropriated for that purpose unless programs or positions are  
28 added to the agency's Fiscal Year 2025 budget by the Mississippi  
29 Legislature. The Legislature shall determine the agency's personal  
30 services appropriation, which the State Personnel Board shall  
31 publish. In accordance with applicable laws, if an agency  
32 determines that its personal services amount is insufficient, the  
33 agency must contact the State Personnel Board. Any adjustment to  
34 the personal services amount must be approved by the State  
35 Personnel Director and the State Fiscal Officer after consultation  
36 with the Legislative Budget Office. Any adjustment shall be  
37 reported to the Legislative Budget Office and the House and Senate  
38 Appropriations Chairmen. The agency's personal services  
39 appropriation may consist of restricted funds for approved  
40 vacancies for Fiscal Year 2025 that may not be utilized for active  
41 Fiscal Year 2024 headcount. It shall be the agency's  
42 responsibility to ensure that the funds provided for vacancies are  
43 used to increase headcount and not for promotions, title changes,



44 in-range salary adjustments, or any other mechanism for increasing  
45 salaries for current employees. If the State Personnel Board  
46 determines that an agency has used provided vacancy funds for any  
47 of the mechanisms previously listed, the State Personnel Board  
48 shall not process any additional salary actions for the agency in  
49 the current fiscal year, except for new hires determined by the  
50 State Personnel Board to be essential for the agency. It is the  
51 Legislature's intention that no employee salary falls below the  
52 minimum salary established by the Mississippi State Personnel  
53 Board.

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

63         Any transfers or escalations shall be made in accordance with  
64 the terms, conditions, and procedures established by law or  
65 allowable under the terms set forth within this act. The State  
66 Personnel Board shall not escalate positions without written  
67 approval from the Department of Finance and Administration. The  
68 Department of Finance and Administration shall not provide written



69 approval to escalate any funds for salaries and/or positions  
70 without proof of availability of new or additional funds above the  
71 appropriated level.

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

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

80 **SECTION 4.** It is the intention of the Legislature that the  
81 Mississippi Arts Commission shall maintain complete accounting and  
82 personnel records related to the expenditure of all funds  
83 appropriated under this act and that such records shall be in the  
84 same format and level of detail as maintained for Fiscal Year  
85 2024. It is further the intention of the Legislature that the  
86 agency's budget request for Fiscal Year 2026 shall be submitted to  
87 the Joint Legislative Budget Committee in a format and level of  
88 detail comparable to the format and level of detail provided  
89 during the Fiscal Year 2025 budget request process.

90 **SECTION 5.** Of the funds appropriated under the provisions of  
91 Section 2, funds in the amount of One Million Four Hundred Ninety  
92 Thousand Dollars (\$1,490,000.00) shall be derived from the



93 Education Enhancement Fund deposited pursuant to Sections 27-65-75  
94 and 27-67-31, Mississippi Code of 1972, for the following:

95 Training of educators and promotion of arts programs in  
96 public schools.....\$ 100,000.00  
97 Miscellaneous grants and programs.....\$ 350,000.00  
98 Whole Schools Initiative.....\$ 1,040,000.00

99 **SECTION 6.** It is the intention of the Legislature that the  
100 Arts Commission shall have the authority to transfer dollars  
101 appropriated herein designated for the "Challenge Program,"  
102 specific amounts to a special fund in the State Treasury called  
103 the Arts Commission Challenge Initiative Fund. The unexpended  
104 amounts remaining in the fund at the end of a fiscal year shall  
105 not lapse into the State General Fund and may be expended by the  
106 commission in subsequent fiscal years upon appropriation of the  
107 Legislature. Any interest earned on the fund shall be deposited  
108 to the credit of the fund and may be disbursed by the commission  
109 upon appropriations of the Legislature. It is the intention of  
110 the Legislature that the commission may award grants to arts  
111 organizations from monies in the fund and the grantees will be  
112 required to provide matching funds for the grants in an amount of  
113 not less than two (2) times the amount of the grant.

114 **SECTION 7.** It is the intention of the Legislature that  
115 whenever two (2) or more bids are received by this agency for the  
116 purchase of commodities or equipment, and whenever all things  
117 stated in such received bids are equal with respect to price,



118 quality and service, the Mississippi Industries for the Blind  
119 shall be given preference. A similar preference shall be given to  
120 the Mississippi Industries for the Blind whenever purchases are  
121 made without competitive bids.

122 **SECTION 8.** It is the intention of the Legislature that the  
123 funds herein appropriated shall be expended in compliance with  
124 Section 27-104-25, Mississippi Code of 1972, that no state agency  
125 shall incur obligations or indebtedness in excess of their  
126 appropriation and that the responsible officers, either personally  
127 or upon their official bonds, shall be held responsible for  
128 actions contrary to this provision.

129 **SECTION 9.** The following sum, or so much thereof as may be  
130 necessary, is reappropriated out of any money in the Capital  
131 Expense Fund not otherwise appropriated for the Arts Commission  
132 for the purpose of reauthorizing the expenditure of Capital  
133 Expense Funds, as authorized in HB 1611, 2023 Regular Session to  
134 provide for the funding of the Building Fund for the Arts  
135 Initiative for the fiscal year beginning July 1, 2024, and ending  
136 June 30, 2025.....\$ 3,100,000.00.

137 Notwithstanding the amount reappropriated under this section,  
138 the amount that may be expended under the authority of this  
139 section, shall not exceed the unexpended balance of the funds  
140 remaining as of June 30, 2024, from the amount authorized for the  
141 previous fiscal year. In addition, this reappropriation shall not  
142 change the purpose for which the funds were originally authorized.



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

149           **SECTION 11.** This act shall take effect and be in force from  
150 and after July 1, 2024, and shall stand repealed June 30, 2024.

