

By: Senator(s) Hopson, Polk, McCaughn,
Berry, Tate, Thompson

To: Appropriations

SENATE BILL NO. 3033

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE
3 FOR FISCAL YEAR 2026.

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 hereby appropriated out of any money in the State
7 General Fund not otherwise appropriated, for the purpose of
8 defraying the expenses of the State Department of Agriculture and
9 Commerce, including the Divisions of Support, Plant Industry,
10 Farmers Central Market, Fair Commission, Livestock Coliseum,
11 Industrial Showcase, and Trade Mart Building, for the fiscal year
12 beginning July 1, 2025, and ending June 30, 2026.....
13\$ 9,161,058.00.

14 **SECTION 2.** The following sum, or so much thereof as may be
15 necessary, is hereby authorized for expenditure out of any special
16 source funds, which are collected by or otherwise become available
17 for the purpose of defraying the expenses of the State Department
18 of Agriculture and Commerce, including the Divisions of Support



19 and Plant Industry, Farmers Central Market, Fair Commission,
20 Livestock Coliseum, Industrial Showcase, Agriculture Museum, the
21 Fairgrounds, Dixie National Rodeo and Trade Mart Building for the
22 fiscal year beginning July 1, 2025, and ending June 30, 2026.....
23\$ 19,222,733.00.

24 The funds authorized for expenditure under the provisions of
25 this section include subscription fees produced from the Market
26 Bulletin and admission fees produced from the Mississippi
27 Agriculture and Forestry Museum.

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

30 AUTHORIZED HEADCOUNT:

31 Permanent: 219

32 Time-Limited: 13

33 With the funds herein appropriated, it shall be the agency's
34 responsibility to make certain that funds required for Personal
35 Services for Fiscal Year 2027 do not exceed Fiscal Year 2026 funds
36 appropriated for that purpose unless programs or positions are
37 added to the agency's Fiscal Year 2026 budget by the Mississippi
38 Legislature. The Legislature shall determine the agency's
39 personal services appropriation, which the State Personnel Board
40 shall publish. The agency's personal services appropriation may
41 consist of restricted funds for approved vacancies for Fiscal Year
42 2026 that may be utilized to fill vacant Fiscal Year 2025
43 headcount. It shall be the agency's responsibility to ensure that



44 the funds provided for vacancies are used to increase headcount
45 and not for promotions, title changes, in-range salary adjustments
46 or any other mechanism for increasing salaries for current
47 employees. It is the Legislature's intention that no employee
48 salary falls below the minimum salary established by the
49 Mississippi State Personnel Board.

50 Additionally, the State Personnel Board shall determine and
51 publish the projected annualized payroll costs based on current
52 employees. It shall be the responsibility of the agency head to
53 ensure that actual personnel expenditures for Fiscal Year 2026 do
54 not exceed the data provided by the Legislative Budget Office. If
55 the agency's Fiscal Year 2026 projected cost exceeds the
56 annualized costs, no salary actions shall be processed by the
57 State Personnel Board except for new hires determined to be
58 essential for the agency.

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



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

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

76 **SECTION 4.** In addition to all other sums herein
77 appropriated, the following sum, or so much thereof as may be
78 necessary, is hereby appropriated out of any money in the State
79 Treasury to the credit of the Beaver Control Program or from any
80 other special source funds made available to the Beaver Control
81 Program, to the Department of Agriculture and Commerce for the
82 support of the Beaver Control Program for the fiscal year
83 beginning July 1, 2025, and ending June 30, 2026.....
84\$ 1,100,000.00.

85 Of the special funds authorized in this section, Six Hundred
86 Fifty Thousand Dollars (\$650,000.00) shall be derived from funds
87 received from the Mississippi Department of Transportation and
88 from fees charged private persons/organizations, and Two Hundred
89 Thousand Dollars (\$200,000.00) shall be derived from funds
90 received from the State Forestry Commission. A county in order to
91 participate must pay up to Seven Thousand Five Hundred Dollars



(\$7,500.00), and if any county wishes to pay any additional funds than provided, those funds may be used only in said county.

SECTION 5. Of the funds appropriated in Section 2 of this act, the following sum, or so much thereof as may be necessary, shall be derived from the Mississippi Department of Agriculture and Commerce - Fruit and Vegetable Revolving Fund, for the purpose of defraying the expenses of the department.....\$ 600,000.00.

SECTION 6. Of the funds appropriated in Section 2 of this act, Seventy-four Thousand Eight Hundred Five Dollars (\$74,805.00) shall be provided for the support of the Mississippi Egg Marketing Board.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2026
<u>Performance Measures</u>	<u>Target</u>
Plant Industry	
Number of Pesticide Related Inspections	2,000
Number of Marketplace Inspections in	
Full Compliance	205
Number of Dealer Inspections in Full	



117	Compliance	110
118	Number of Agricultural and	
119	Non-Agricultural Pesticide Application	
120	Inspections in Full Compliance	1,200
121	Number of Agricultural and	
122	Non-Agricultural Record Inspections in	
123	Full Compliance	350
124	Percent of Marketplace Inspections in	
125	Full Compliance	85.00
126	Percent of Dealer Inspections in Full	
127	Compliance	96.00
128	Percent of Agricultural and	
129	Non-Agricultural Pesticide Application	
130	Inspections in Full Compliance	93.00
131	Percent of Agricultural and	
132	Non-Agricultural Record Inspections in	
133	Full Compliance	95.00
134	Museum	
135	Total Attendance	110,000
136	Number of Students in School Groups	16,000
137	Number of Private Revenue Generating	
138	Functions	450
139	Percent Change in Number of Private	
140	Revenue Generating Functions	3.00
141	Percent Change in Revenue from Private	



142	Functions	3.00
143	Percent Increase in Attendance from	
144	Prior Year	2.00
145	Percent Increase of School Students in	
146	Attendance from Prior Year	2.00
147	Revenue Generated from Functions	300,000.00
148	Regulatory	
149	Number of Retail Motor Fuel Devices	
150	Inspected	63,000
151	Number of Food Sanitation Inspections	4,700
152	Percent of Total Retail Motor Fuel	
153	Devices Inspected	100.00
154	Percent of Total Retail Food Sanitation	
155	Inspections	100.00
156	Percent of Consumer Complaints Answered	
157	within 48 Hours	100.00
158	Marketing	
159	Number of Persons Reached by Marketing Means	1,138,150
160	Percent Increase of Persons Reached by	
161	Marketing Means	3.00
162	Administration	
163	Maintain Administrative Cost at 18% of	
164	Total Budget	25.00
165	Livestock Theft	
166	Number of Cases Investigated	200



167	Number of Cases Cleared	30
168	Percent of Cases Prosecuted	20.00
169	Farmer's Market	
170	Number of Retail Spaces Rented (Average	
171	Per Week)	35
172	Amount of Revenue Generated through	
173	Rental Space Rented	55,000.00
174	Seed Testing Lab	
175	Number of Days to Run Cool Test	7
176	Number of Official Samples Collected	2,350
177	Number of Days for Germination Test	
178	(Average Depending on Type of Seed)	20
179	Number of Hours to Evaluate TZ Test	1
180	Mississippi State Fairgrounds	
181	Number of Events	520
182	Estimated Total Attendance	1,250,000
183	Egg Marketing Promotion	
184	Percent Increase in the Number of Eggs	
185	Purchased	2.00
186	Cost of Outreach in Relation to	
187	Consumers Reached. (This Number is the	
188	Percent of the Budget Dedicated to	
189	Advertising)	80.00
190	Percent Increase of Consumption of Eggs	2.00



191 A reporting of the degree to which the performance targets
192 set above have been or are being achieved shall be provided in the
193 agency's budget request submitted to the Joint Legislative Budget
194 Committee for Fiscal Year 2027.

195 **SECTION 8.** The funds appropriated and authorized to be
196 expended under the provisions of this act shall be expended for
197 the purpose of defraying all expenses incurred by the State
198 Department of Agriculture and Commerce in the operation of all
199 programs and activities (except operation of the State Lime
200 Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine
201 Inspection Stations and Fire Ant Program) authorized to be
202 conducted and carried on by said department; including, but not
203 limited to: the administration of the Feed, Fertilizer and Dairy
204 Act; the Weights and Measures Act; the Meat Inspection Act of
205 1968; the Mississippi Pure Seed Law; and the following additional
206 programs and activities: enforcement of the egg law; publication
207 and distribution of the Mississippi Market Bulletin, agricultural
208 statistics, market news service at Stoneville, Mississippi; and
209 inspection, grading and certifying of fruits, vegetables, hay,
210 grain, meat and meat products, milk and dairy products, pecans,
211 seed and syrup.

212 **SECTION 9.** The Mississippi Department of Agriculture and
213 Commerce, with the assistance of the State Department of Audit and
214 the Department of Finance and Administration, shall establish a
215 budgeted enterprise funds for all "for-profit" activities related



to the Mississippi Agriculture and Forestry Museum. The funds shall be maintained in accordance with generally accepted accounting principles and regulations prescribed by the Department of Finance and Administration.

SECTION 10. Of the funds provided by the provisions of this act, it is the intent of the Legislature that not more than Thirty Thousand Dollars (\$30,000.00) shall be expended for the Mississippi Senior Farmers' Market Nutrition Pilot Program, which shall be established by the State Department of Agriculture and Commerce to serve senior citizens above sixty (60) years of age who fall within one hundred thirty percent (130%) of the poverty level. The Commissioner of Agriculture may promulgate rules and regulations necessary to implement the Mississippi Senior Farmers' Market Nutrition Pilot Program.

SECTION 11. Of the funds appropriated in Section 2 of this act, Four Hundred Thousand (\$400,000.00), is provided for matching funds required for the Mississippi Healthy Food and Families Program as established in Senate Bill No. 2077, 2022 Regular Session.

SECTION 12. 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 13. It is the intention of the Legislature that the Department of Agriculture and Commerce 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 2025. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2027 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 2026 budget request process.

SECTION 14. Of the funds appropriated in Section 2 of this act, 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 Department of Agriculture and Commerce from the proceeds collected from surety bonds posted under the "Mississippi Grain Warehouse Law" as provided by Section 75-44-1 et seq., Mississippi Code of 1972 and the "Mississippi Grain Dealers Law of 1978" as provided by Section 75-45-301 et seq., Mississippi Code of 1972 for the purpose of paying claimants under such laws from the fiscal year beginning July 1, 2025, and ending June 30, 2026.....\$ 1,100,000.00.

SECTION 15. Of the funds appropriated in Section 2 of this act, Seven Hundred Fifty Thousand (\$750,000.00), or so much



thereof as may be necessary, is provided for operational expenditures at the Mississippi Agriculture and Forestry Museum. The department may expend these funds for improvements to the museum and for marketing and promotion programs for the museum in a manner consistent with the museum's historical purpose.

SECTION 16. The Mississippi Department of Agriculture and Commerce is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Million Dollars (\$1,000,000.00).

The Commissioner of Agriculture shall notify, in writing, the Lieutenant Governor, the Speaker of the House of Representatives, the Chairman of the Senate Appropriations Committee, the Chairman of the House Appropriations A Committee, and the Legislative Budget Office of any escalation. The written notification shall include the justification for the escalation of funds, the amount, and how the funds will be used. This written notification shall be sent on or before the fifteenth day of the month prior to the effective date of the escalation.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the



291 credit of the proper fund or funds as set forth in this act, upon
292 warrants issued by the State Fiscal Officer; and the State Fiscal
293 Officer shall issue his warrants upon requisitions signed by the
294 proper person, officer or officers in the manner provided by law.

295 **SECTION 18.** This act shall take effect and be in force from
296 and after July 1, 2025, and shall stand repealed from and after
297 June 30, 2025.

