

By: Senator(s) Hopson, Polk, Williams,
Michel, Seymour, Tate

To: Appropriations

SENATE BILL NO. 3038

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 STATE PERSONNEL BOARD FOR FISCAL YEAR 2026.

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

4 **SECTION 1.** The following sum, or so much thereof as may be
5 necessary, is hereby appropriated out of any money in the State
6 General Fund not otherwise appropriated, for the support and
7 maintenance of the State Personnel Board for the fiscal year
8 beginning July 1, 2025, and ending June 30, 2026.....
9\$ 5,350,112.00.

10 **SECTION 2.** Of the funds appropriated under the provisions of
11 this act, the following positions are authorized:

12 AUTHORIZED HEADCOUNT:

13 Permanent: 46

14 Time-Limited: 0

15 With the funds herein appropriated, it shall be the agency's
16 responsibility to make certain that funds required for Personal
17 Services for Fiscal Year 2027 do not exceed Fiscal Year 2026 funds
18 appropriated for that purpose unless programs or positions are



19 added to the agency's Fiscal Year 2026 budget by the Mississippi
20 Legislature. The Legislature shall determine the agency's
21 personal services appropriation, which the State Personnel Board
22 shall publish. The agency's personal services appropriation may
23 consist of restricted funds for approved vacancies for Fiscal Year
24 2026 that may be utilized to fill vacant Fiscal Year 2025
25 headcount. It shall be the agency's responsibility to ensure that
26 the funds provided for vacancies are used to increase headcount
27 and not for promotions, title changes, in-range salary adjustments
28 or any other mechanism for increasing salaries for current
29 employees. It is the Legislature's intention that no employee
30 salary falls below the minimum salary established by the
31 Mississippi State Personnel Board.

32 Additionally, the State Personnel Board shall determine and
33 publish the projected annualized payroll costs based on current
34 employees. It shall be the responsibility of the agency head to
35 ensure that actual personnel expenditures for Fiscal Year 2026 do
36 not exceed the data provided by the Legislative Budget Office. If
37 the agency's Fiscal Year 2026 projected cost exceeds the
38 annualized costs, no salary actions shall be processed by the
39 State Personnel Board except for new hires determined to be
40 essential for the agency.

41 Any transfers or escalations shall be made in accordance with
42 the terms, conditions, and procedures established by law or
43 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 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 the 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. None of the funds appropriated under the provisions of Section 1 of this act may be expended until the State Personnel Board, based on data provided by the Legislative Budget Office, determines and publishes the projected annual cost to fully fund all appropriated positions for all agencies with compliance language in their appropriation bills.

SECTION 4. It is the intention of the Legislature that the State Personnel Board 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 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. 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 7. 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



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

95 **SECTION 8.** This act shall take effect and be in force from
96 and after July 1, 2025, and shall stand repealed from and after
97 June 30, 2025.

