

By: Representatives Bounds,
Anderson (122nd), Clark, Eure,
Hale, Jackson (11th), Paden,
Pigott, Read

To: Appropriations A

HOUSE BILL NO. 9

1 AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE
2 PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD
3 FOR THE 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 appropriated out of any money in the special fund in
7 the State Treasury to the credit of the State Oil and Gas Board
8 which is comprised of special source funds collected by or
9 otherwise available to the department, for the purpose of
10 defraying the expenses of the department for the fiscal year
11 beginning July 1, 2025, and ending June 30, 2026.....
12\$ 8,932,663.00.

13 **SECTION 2.** Of the funds appropriated under the provisions of
14 this act, not more than the following amount of funds, with the
15 exception of the provisions in this section, shall be expended
16 only for "Personal Services," which includes "Vacancy Funding,"
17 for the following authorized number of employment headcount:

18 FUNDING:



19 General Funds: \$ 0.00
20 Special Funds: \$ 2,480,755.00
21 Total Funds: \$ 2,480,755.00

22 PERSONAL SERVICES:

23 Employee Salaries, Wages, and
24 Fringe Benefits: \$ 2,348,725.00
25 Progressions: \$ 0.00
26 Vacancy Funding: \$ 132,030.00
27 Total Personal Services: \$ 2,480,755.00

28 AUTHORIZED HEADCOUNT:

29 Permanent: 35
30 Time-Limited: 0

31 As used in this section, the term "Personal Services" shall
32 mean funds provided under the major object of expenditure category
33 Personal Services for Salaries, Wages, and Fringe Benefits. Funds
34 in this category shall not be transferred to any other category.

35 It is the intention of the Legislature to ensure compliance
36 with the Variable Compensation Plan, as outlined in Section
37 25-9-147, Mississippi Code of 1972. Payment from these funds shall
38 be in accordance with the Variable Compensation Plan promulgated
39 by the Mississippi State Personnel Board. It is the Legislature's
40 intention that no employee's salary falls below the minimum salary
41 established by the Mississippi State Personnel Board.

42 The State Personnel Board shall determine and publish the
43 projected annual cost of "Personal Services" based on monthly and



year-to-date payroll expenditures in compliance with the provisions of this act.

With the funds herein appropriated, it shall be the agency's responsibility to ensure that no single personnel action or combination of personnel actions, when annualized, exceeds the Fiscal Year 2026 appropriation for "Personal Services" with the exception of escalated funds. Further, it shall be the agency's responsibility to ensure that funds required to be appropriated for "Personal Services" for Fiscal Year 2027 do not exceed Fiscal Year 2026 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2026 budget by the Mississippi Legislature.

If, at the time the agency takes any action to change "Personal Services," the State Personnel Board determines that the agency has taken or will take an action that would cause the agency to exceed the funds appropriated in this act when annualized for Fiscal Year 2026 or increase the need for "Personal Services" for Fiscal Year 2027, when annualized, the State Personnel Board shall process no salary actions until such time as the requirements of the provisions of this section are met with the exception of new hires determined to be essential for the agency.

When used in this section, "Vacancy Funding" shall mean funds included in the Total Personal Services amount listed above and designated for approved vacancies in Fiscal Year 2026. These funds



are to be utilized to increase the number of filled headcounts that were authorized but unfilled as of the last day of Fiscal Year 2025. If the agency fills additional headcounts after May 1, 2025, until the end of Fiscal Year 2025, the amount of available Vacancy Funding may be proportionally reduced to reflect the updated number of filled headcounts. The agency shall be responsible for ensuring that "Vacancy Funding" is used to increase headcounts and not for promotions, title changes, in-range salary adjustments, or any other mechanism for increasing salaries for current employees.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or 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 headcounts without proof of availability of new or additional funds above the appropriated level. Unless specifically noted, all Fiscal Year 2025 escalated headcounts have been accounted for and shall be converted to authorized time-limited headcounts.

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.



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

98 If the agency's total authorized headcount decreases from
99 Fiscal Year 2025 to Fiscal Year 2026, it will be the agency's
100 discretion as to what headcounts are removed.

101 **SECTION 3.** It is the intention of the Legislature that the
102 State Oil and Gas Board shall maintain complete accounting and
103 personnel records related to the expenditure of all funds
104 appropriated under this act and that such records shall be in the
105 same format and level of detail as maintained for Fiscal Year
106 2025. It is further the intention of the Legislature that the
107 agency's budget request for Fiscal Year 2027 shall be submitted to
108 the Joint Legislative Budget Committee in a format and level of
109 detail comparable to the format and level of detail provided
110 during the Fiscal Year 2026 budget request process.

111 **SECTION 4.** The State Oil and Gas Board shall have the
112 authority to receive, budget and expend funds from any source not
113 to exceed Two Hundred Thousand Dollars (\$200,000.00) for the
114 Comprehensive Data Management Program in accordance with rules and
115 regulations of the Department of Finance and Administration in a
116 manner consistent with the escalation of federal funds.

117 **SECTION 5.** Of the funds appropriated under the provisions of
118 Section 1, Two Million Three Hundred Thousand Dollars



119 (\$2,300,000.00), or so much thereof, shall be derived out of any
120 money in the State Treasury to the credit of the Capital Expense
121 Fund, as created in Section 27-103-303, Mississippi Code of 1972,
122 and allocated in a manner as determined by the Treasurer's Office.
123 This appropriation is made to provide the funds for orphan well
124 plugging.

125 **SECTION 6.** It is the intention of the Legislature that
126 whenever two (2) or more bids are received by this agency for the
127 purchase of commodities or equipment, and whenever all things
128 stated in such received bids are equal with respect to price,
129 quality and service, the Mississippi Industries for the Blind
130 shall be given preference. A similar preference shall be given to
131 the Mississippi Industries for the Blind whenever purchases are
132 made without competitive bids.

133 **SECTION 7.** It is the intention of the Legislature that the
134 funds herein appropriated shall be expended in compliance with
135 Section 27-104-25, Mississippi Code of 1972, that no state agency
136 shall incur obligations or indebtedness in excess of their
137 appropriation and that the responsible officers, either personally
138 or upon their official bonds, shall be held responsible for
139 actions contrary to this provision.

140 **SECTION 8.** This act shall take effect and be in force from
141 and after July 1, 2025.

