

By: Representatives Deweese,
Bennett, Creekmore IV, Currie,
McGee, Mickens, Read, Scott,
Turner

To: Appropriations A

HOUSE BILL NO. 27

1 AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE
2 STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE
3 MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR
4 2026.

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

6 **SECTION 1.** The following sum, or so much thereof as may be
7 necessary, is appropriated out of any money in the State Treasury
8 to the credit of the Mississippi State Board of Physical Therapy,
9 for the purpose of defraying the expenses of the Mississippi State
10 Board of Physical Therapy for the fiscal year beginning
11 July 1, 2025, and ending June 30, 2026.....\$ 354,726.00.

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

17 FUNDING:

18 General Funds: \$ 0.00

19 Special Funds: \$ 221,771.00



20 Total Funds: \$ 221,771.00

21 PERSONAL SERVICES:

22 Employee Salaries, Wages, and

23 Fringe Benefits: \$ 163,221.00

24 Progressions: \$ 0.00

25 Vacancy Funding: \$ 58,550.00

26 Total Personal Services: \$ 221,771.00

27 AUTHORIZED HEADCOUNT:

28 Permanent: 3

29 Time-Limited: 0

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

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

41 The State Personnel Board shall determine and publish the
42 projected annual cost of "Personal Services" based on monthly and
43 year-to-date payroll expenditures in compliance with the
44 provisions of this act.



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

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

65 When used in this section, "Vacancy Funding" shall mean funds
66 included in the Total Personal Services amount listed above and
67 designated for approved vacancies in Fiscal Year 2026. These funds
68 are to be utilized to increase the number of filled headcounts
69 that were authorized but unfilled as of the last day of Fiscal



70 Year 2025. If the agency fills additional headcounts after May 1,
71 2025, until the end of Fiscal Year 2025, the amount of available
72 Vacancy Funding may be proportionally reduced to reflect the
73 updated number of filled headcounts. The agency shall be
74 responsible for ensuring that "Vacancy Funding" is used to
75 increase headcounts and not for promotions, title changes,
76 in-range salary adjustments, or any other mechanism for increasing
77 salaries for current employees.

78 Any transfers or escalations shall be made in accordance with
79 the terms, conditions, and procedures established by law or
80 allowable under the terms set forth within this act. The State
81 Personnel Board shall not escalate positions without written
82 approval from the Department of Finance and Administration. The
83 Department of Finance and Administration shall not provide written
84 approval to escalate any funds for salaries and/or headcounts
85 without proof of availability of new or additional funds above the
86 appropriated level. Unless specifically noted, all Fiscal Year
87 2025 escalated headcounts have been accounted for and shall be
88 converted to authorized time-limited headcounts.

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

93 None of the funds herein appropriated shall be used in
94 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.

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

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Physical Therapy 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 4. 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.



119 **SECTION 5.** It is the intention of the Legislature that the
120 funds herein appropriated shall be expended in compliance with
121 Section 27-104-25, Mississippi Code of 1972, that no state agency
122 shall incur obligations or indebtedness in excess of their
123 appropriation and that the responsible officers, either personally
124 or upon their official bonds, shall be held responsible for
125 actions contrary to this provision.

126 **SECTION 6.** The money herein appropriated shall be paid by
127 the State Treasurer out of any money in the State Treasury to the
128 credit of the proper fund or funds as set forth in this act, upon
129 warrants issued by the State Fiscal Officer; and the State Fiscal
130 Officer shall issue his warrants upon requisitions signed by the
131 proper person, officer or officers, in the manner provided by law.

132 **SECTION 7.** This act shall take effect and be in force from
133 and after July 1, 2025.

