

By: Senator(s) Hopson, Polk,
DeLano, Barnett, McCaughn,
McLendon

To: Appropriations

SENATE BILL NO. 2017

1 AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND
2 MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE
3 MISSISSIPPI DEPARTMENT OF TRANSPORTATION 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 appropriated out of any money in the State Treasury
7 to the credit of the Office of State Aid Road Construction Fund,
8 for the purpose of defraying the expenses of the Office of State
9 Aid Road Construction of the Mississippi Department of
10 Transportation for the fiscal year beginning July 1, 2025, and
11 ending June 30, 2026.....\$ 235,736,074.00.

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: \$ 5,257,310.00

20 Total Funds: \$ 5,257,310.00

21 PERSONAL SERVICES:

22 Employee Salaries, Wages, and

23 Fringe Benefits: \$ 4,865,799.00

24 Progressions: \$ 0.00

25 Vacancy Funding: \$ 391,511.00

26 Total Personal Services: \$ 5,257,310.00

27 AUTHORIZED HEADCOUNT:

28 Permanent: 54

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



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.



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

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

100 **SECTION 3.** Of the funds appropriated in Section 1 of this
101 act, it is the intention of the Legislature that an amount not to
102 exceed Five Hundred Thousand Dollars (\$500,000.00) is authorized
103 to be expended from funds received from the Mississippi
104 Development Authority as reimbursements for actual expenses
105 incurred by the Office of State Aid Road Construction for
106 administering and providing engineering services to political
107 subdivisions as authorized under Section 65-4-15, Mississippi Code
108 of 1972. Any such funds shall be deposited into the Office of
109 State Aid Roads Administrative Fund for the fiscal year beginning
110 July 1, 2025, and ending June 30, 2026.

111 **SECTION 4.** Of the funds appropriated in Section 1,
112 Fifty-five Million Dollars (\$55,000,000.00) is provided for the
113 purpose of replacement of structurally deficient bridges on the
114 Local System Bridge Program (LSBP).

115 **SECTION 5.** It is the intention of the Legislature that the
116 Office of State Aid Road Construction shall maintain complete
117 accounting and personnel records related to the expenditure of all



118 funds appropriated under this act and that such records shall be
119 in the same format and level of detail as maintained for Fiscal
120 Year 2025. It is further the intention of the Legislature that
121 the agency's budget request for Fiscal Year 2027 shall be
122 submitted to the Joint Legislative Budget Committee in a format
123 and level of detail comparable to the format and level of detail
124 provided during the Fiscal Year 2026 budget request process.

125 **SECTION 6.** In compliance with the "Mississippi Performance
126 Budget and Strategic Planning Act of 1994," it is the intent of
127 the Legislature that the funds provided herein shall be utilized
128 in the most efficient and effective manner possible to achieve the
129 intended mission of this agency. Based on the funding authorized,
130 this agency shall make every effort to attain the targeted
131 performance measures provided below:

132		FY2026
133	<u>Performance Measures</u>	<u>Target</u>
134	Administrative	
135	Percent of Administrative Costs as	
136	Compared to Construction Costs	4.00
137	Maintain Level of Administrative Costs	
138	as Compared to Construction Costs at 5%	
139	or Under	5.00
140	Number of Projects Let to Contract	75
141	Percent of Personnel Devoted to	
142	Construction Programs	81.00



143	Federal Percent of Total Project Fund	
144	Obligations	20.00
145	Construction	
146	Percent Increase in Total Miles Paved	1.00
147	Percent of Total State Aid Funds	
148	Available Programmed or Obligated to	
149	Projects	70.00
150	Number of State Aid Projects Let to Contract	75
151	Number of Federal Projects Let to Contract	5
152	Number of State Aid Projects Completed	30
153	Number of Federal Projects Completed	10
154	Average Time from Initiation to	
155	Completion of a Fed Project (Days)	450
156	Number of Bridges Replaced or Repaired	85
157	Number of Structurally Deficient Bridges	
158	on the State Aid System	1,050
159	Average Cost of a State Aid/Federal	
160	Bridge Project	1,550,000.00
161	Local System Bridge	
162	Percent Change in Deficient LSBP Bridges	3.00
163	Average Number of Active LSBP Projects	
164	Per County	1.00
165	Percent of LSBP Funds Available	
166	Programmed or Obligated to Projects	85.00
167	Number of LSBP Projects Let to Contract	40



168	Number of LSBP Projects Completed	70
169	Number of LSBP Bridges Replaced or Repaired	40
170	Number of Eligible Deficient LSBP Bridges	1,050
171	Average Time From Initiation to	
172	Completion of a LSBP Project (Days)	450
173	Percent of Bridges Eligible for LSBP Funds	10.00
174	Percent of Counties Utilizing All of	
175	Their Available LSBP Funds	30.00

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

180 **SECTION 7.** With the funds appropriated in this act, the
181 Office of State Aid Road Construction shall notify members of the
182 Mississippi Senate and House of Representatives upon the award of
183 projects within their respective districts and at least five (5)
184 days prior to a public ceremony announcing the award of any grant
185 in their district or any public announcement or ceremony regarding
186 the groundbreaking or opening of a facility, roadway or bridge for
187 which the Legislature has made funds available. Any signage
188 regarding any public event or any new facility, roadway or bridge
189 shall include the following language: "Funds were made available
190 for this project by the Mississippi State Legislature." The
191 signage shall further state the four-year legislative term in
192 which the project was funded.



193 **SECTION 8.** It is the intention of the Legislature to
194 authorize the State Aid Engineer to utilize funds available to the
195 Office of State Aid Road Construction, from any source herein
196 appropriated or made available by the counties or any other
197 source, to pay for costs necessary to comply with the National
198 Bridge Inspection Standards and the Federal Highway
199 Administration's requirements for bridge inspections and/or
200 special studies necessary to comply with federal laws. The State
201 Aid Engineer shall follow the same procedures as have heretofore
202 been established by Sections 65-9-9, 65-9-15 and 65-9-17,
203 Mississippi Code of 1972, for payment of such costs. The Office
204 of State Aid Road Construction may accept, budget and expend these
205 funds subject to and in accordance with rules and regulations of
206 the Department of Finance and Administration in a manner
207 consistent with the escalation of federal or state funds.

208 **SECTION 9.** It is the intention of the Legislature that in
209 the letting of contracts for which the Office of State Aid Road
210 Construction administers and provides engineering services to
211 political subdivisions under the Economic Development Highway Act,
212 bids may be made from the lowest and best bidder after advertising
213 for competitive sealed bids once in a newspaper published or
214 having a circulation in the county or municipality where the
215 contract will be performed, and the date published for the bid
216 opening may be not less than seven (7) working days after the
217 advertisement is published.



218 **SECTION 10.** The State Engineer is hereby authorized to
219 transfer from any special fund to another special fund under the
220 control of State Aid Road for the administration, planning,
221 construction, maintenance, or inspection of Mississippi roads and
222 bridges, provided that such transfers do not exceed twenty percent
223 (20%) of the total fund allocated for this purpose. The State Aid
224 Engineer shall submit written notification to the State Fiscal
225 Officer and the Legislative Budget Office prior to executing any
226 such transfer, detailing the amount and purpose of the transfer.

227 **SECTION 11.** It is the intention of the Legislature that
228 whenever two (2) or more bids are received by this agency for the
229 purchase of commodities or equipment, and whenever all things
230 stated in such received bids are equal with respect to price,
231 quality and service, the Mississippi Industries for the Blind
232 shall be given preference. A similar preference shall be given to
233 the Mississippi Industries for the Blind whenever purchases are
234 made without competitive bids.

235 **SECTION 12.** It is the intention of the Legislature that the
236 funds herein appropriated shall be expended in compliance with
237 Section 27-104-25, Mississippi Code of 1972, that no state agency
238 shall incur obligations or indebtedness in excess of their
239 appropriation and that the responsible officers, either personally
240 or upon their official bonds, shall be held responsible for
241 actions contrary to this provision.



242 **SECTION 13.** Of the funds appropriated in Section 1, Fifty
243 Thousand Dollars (\$50,000.00), or so much thereof as may be
244 necessary, shall be derived out of any money in the State Treasury
245 to the credit of the Project Poppy Fund, as created in Section
246 57-1-631, Mississippi Code of 1972, and allocated in a manner as
247 determined by the Treasurer's Office. These funds are provided
248 for expediting services needed for Project Poppy.

249 **SECTION 14.** The money herein appropriated shall be paid by
250 the State Treasurer out of any money in the State Treasury to the
251 credit of the proper fund or funds as set forth in this act, upon
252 warrants issued by the State Fiscal Officer; and the State Fiscal
253 Officer shall issue his warrants upon requisitions signed by the
254 proper person, officer or officers, in the manner provided by law.

255 **SECTION 15.** This act shall take effect and be in force from
256 and after July 1, 2025.

