

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



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 6.** 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> |
| Administrative                          |               |
| Percent of Administrative Costs as      |               |
| Compared to Construction Costs          | 4.00          |
| Maintain Level of Administrative Costs  |               |
| as Compared to Construction Costs at 5% |               |
| or Under                                | 5.00          |
| Number of Projects Let to Contract      | 75            |
| Percent of Personnel Devoted to         |               |
| 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.

