

By: Senator(s) Hopson, Polk,
Thompson, Berry, Jackson,
Williams

To: Appropriations

SENATE BILL NO. 2039

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE
2 MISSISSIPPI WORKERS' COMPENSATION COMMISSION 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 purpose of
7 defraying the expenses incurred by the Mississippi Workers'
8 Compensation Commission for the fiscal year beginning
9 July 1, 2025, and ending June 30, 2026.....\$ 6,164,999.00.

10 **SECTION 2.** The following sum, or so much thereof as may be
11 necessary, is hereby appropriated out of any money in the State
12 Treasury to the credit of the Second Injury Fund (Fund Number
13 3352300000) for the purpose of making payments under the
14 provisions of Section 71-3-73, Mississippi Code of 1972, for the
15 fiscal year beginning July 1, 2025, and ending June 30, 2026.....
16\$ 25,000.00.

17 **SECTION 3.** Of the funds appropriated under the provisions of
18 this act, not more than the following amount of funds, with the



19 exception of the provisions in this section, shall be expended
20 only for "Personal Services," which includes "Vacancy Funding,"
21 for the following authorized number of employment headcount:

22 FUNDING:

23	General Funds:	\$ 5,000,826.00
24	Special Funds:	\$ 0.00
25	Total Funds:	\$ 5,000,826.00

26 PERSONAL SERVICES:

27	Employee Salaries, Wages, and	
28	Fringe Benefits:	\$ 4,687,544.00
29	Progressions:	\$ 0.00
30	Vacancy Funding:	\$ 313,282.00
31	Total Personal Services:	\$ 5,000,826.00

32 AUTHORIZED HEADCOUNT:

33	Permanent:	55
34	Time-Limited:	0

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

39 It is the intention of the Legislature to ensure compliance
40 with the Variable Compensation Plan, as outlined in Section
41 25-9-147, Mississippi Code of 1972. Payment from these funds shall
42 be in accordance with the Variable Compensation Plan promulgated
43 by the Mississippi State Personnel Board. It is the Legislature's



intention that no employee's salary falls below the minimum salary established by the Mississippi State Personnel Board.

The State Personnel Board shall determine and publish the 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.

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.

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 4. It is the intention of the Legislature that the Mississippi Workers' Compensation Commission 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 with the funds appropriated in Section 1 of this act, the Mississippi Workers' Compensation Commission shall enter into a contract with the industrial private sector for the purpose of implementing a safety education and training program.

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>
Adjudication	
Number of Cases Resolved at the	
Administrative or Commission Level	
within 3 Months	900
Number of Cases Resolved at the	
Administrative or Commission Level	
within 6 Months	950
Number of Cases Resolved at the	
Administrative or Commission Level	
within 9 Months	900
Number of Cases Resolved at the	



141	Administrative or Commission Level	
142	within 1 Year	900
143	Self-insurance	
144	Percent of Individual Self-Insurers	
145	Reviewed in the Past Fiscal Year	34.00
146	Percent of Individual Self-Insurer	
147	Reviews Conducted in the Past Fiscal	
148	Year Showing That Reserves are	
149	Insufficient to Cover Claims	5.00
150	Percent of Self-Insurance Groups Reviewed	100.00
151	Percent of Self-Insurance Group Reviews	
152	Conducted Showing That Reserves are	
153	Insufficient to Cover Claims	0.00
154	Medical Cost Containment	
155	Fee Schedule Adjustments (Cost in Millions)	35.00
156	Medical Cost Savings to Payers (as a %	
157	of Total Billings)	46.00
158	A reporting of the degree to which the performance targets	
159	set above have been or are being achieved shall be provided in the	
160	agency's budget request submitted to the Joint Legislative Budget	
161	Committee for Fiscal Year 2027.	

162 **SECTION 7.** It is the intention of the Legislature that

163 whenever two (2) or more bids are received by this agency for the

164 purchase of commodities or equipment, and whenever all things

165 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 8. It is the intention of the Legislature that the salary of the Workers' Compensation Commission members shall be equal and the salary of the commission chairman shall exceed these salaries as approved by the State Personnel Board.

SECTION 9. 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 10. 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 Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2025.

