

By: Senator(s) Hopson, Polk,  
Blackwell, McLendon, Simmons  
(13th)

To: Appropriations

## SENATE BILL NO. 2040

1 AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
2 STATE TREASURER'S OFFICE FOR FISCAL YEAR 2026.

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

4 **SECTION 1.** The following sum of money, or so much thereof as  
5 may be necessary, is hereby appropriated out of any money in the  
6 special fund in the State Treasury to the credit of the State  
7 Treasurer's office which are collected by or otherwise become  
8 available, to defray the expenses of the Office of the State  
9 Treasurer for the fiscal year beginning July 1, 2025, and ending  
10 June 30, 2026.....\$ 6,808,433.00.

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

## 16 FUNDING:

17	General Funds:	\$ 0.00
18	Special Funds:	\$ 3,569,544.00





19                   Total Funds:                                 \$ 3,569,544.00

20       PERSONAL SERVICES:

21                   Employee Salaries, Wages, and

22                   Fringe Benefits:                             \$ 3,473,110.00

23                   Progressions:                                 \$             0.00

24                   Vacancy Funding:                             \$       96,434.00

25                   Total Personal Services:                     \$ 3,569,544.00

26       AUTHORIZED HEADCOUNT:

27                   Permanent:                                     37

28                   Time-Limited:                                 0

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

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

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





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

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

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





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

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

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

92 None of the funds herein appropriated shall be used in  
93 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.** In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Education Improvement Trust Fund No. 3219 for the purpose of investing funds for the fiscal year beginning July 1, 2025, and ending June 30, 2026.....\$ 150,000.00.

**SECTION 4.** In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Trust Fund for the purpose of paying all amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program, for the fiscal year beginning July 1, 2025, and ending June 30, 2026.....\$ 35,000,000.00.

It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend an amount not to exceed One Million Dollars (\$1,000,000.00) from any funds authorized for the Mississippi Prepaid Affordable College Tuition Program, for paying amounts due for prepaid tuition





contracts of the Mississippi Prepaid Affordable College Tuition Program. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

**SECTION 5.** No part of the funds appropriated herein shall be used in the payment of attorney's fees, nor shall any of said funds be used either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

**SECTION 6.** It is the intention of the Legislature that the Office of the State Treasurer shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as





maintained for Fiscal Year 2025. It is further the intention of the Legislature that the 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 7.** 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.

**SECTION 8.** Of the funds appropriated to the State Treasury under the provisions of Section 1 of this act, the following amounts shall be available for expenditure in the following program budgets:

(a) Mississippi Prepaid Affordable College Tuition program.....	\$ 1,854,655.00.
(b) Mississippi Affordable College Savings program.....	\$ 177,860.00.
(c) Treasury Office - Support programs.....	\$ 4,775,918.00.

Further, no funds to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund shall be expended





for purposes related to any program other than the Mississippi  
Prepaid Affordable College Tuition program.

**SECTION 9.** 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 10.** This act shall take effect and be in force from  
and after July 1, 2025.

