

By: Representatives Oliver, Read, Arnold,  
Boyd (19th), Hines, Mangold, Massengill,  
Roberson, Scoggin

To: Appropriations E;  
Appropriations A

HOUSE BILL NO. 1826  
(As Sent to Governor)

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 DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR  
4 2025; AND FOR RELATED PURPOSES.

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 Department of Transportation, for the purpose  
9 of defraying the administrative expenses of the Mississippi  
10 Department of Transportation for the fiscal year beginning  
11 July 1, 2024, and ending June 30, 2025.....  
12 .....\$ 1,438,802,542.00.

13 **SECTION 2.** The following offices are supported by the funds  
14 appropriated in Section 1: The Office of Administrative Services,  
15 the Office of Highways and the Office of Aeronautics and Rails.  
16 Of the funds appropriated under the provisions of Section 1, the  
17 following positions are authorized:

18 AUTHORIZED HEADCOUNT:

19 Permanent: 2,698



20 Time-Limited: 0

21 With the funds herein appropriated, it shall be the agency's  
22 responsibility to make certain that funds required for Personal  
23 Services for Fiscal Year 2026 do not exceed Fiscal Year 2025 funds  
24 appropriated for that purpose unless programs or positions are  
25 added to the agency's Fiscal Year 2025 budget by the Mississippi  
26 Legislature. The Legislature shall determine the agency's  
27 personal services appropriation, which the State Personnel Board  
28 shall publish. The agency's personal services appropriation may  
29 consist of restricted funds for approved vacancies for Fiscal Year  
30 2025 that may be utilized to fill vacant Fiscal Year 2024  
31 headcount. It shall be the agency's responsibility to ensure that  
32 the funds provided for vacancies are used to increase headcount  
33 and not for promotions, title changes, in-range salary adjustments  
34 or any other mechanism for increasing salaries for current  
35 employees. It is the Legislature's intention that no employee  
36 salary falls below the minimum salary established by the  
37 Mississippi State Personnel Board.

38 Additionally, the State Personnel Board shall determine and  
39 publish the projected annualized payroll costs based on current  
40 employees. It shall be the responsibility of the agency head to  
41 ensure that actual personnel expenditures for Fiscal Year 2025 do  
42 not exceed the data provided by the Legislative Budget Office. If  
43 the agency's Fiscal Year 2025 projected cost exceeds the  
44 annualized costs, no salary actions shall be processed by the



45 State Personnel Board except for new hires determined to be  
46 essential for the agency.

47 Any transfers or escalations shall be made in accordance with  
48 the terms, conditions, and procedures established by law or  
49 allowable under the terms set forth within this act. The State  
50 Personnel Board shall not escalate positions without written  
51 approval from the Department of Finance and Administration. The  
52 Department of Finance and Administration shall not provide written  
53 approval to escalate any funds for salaries and/or positions  
54 without proof of availability of new or additional funds above the  
55 appropriated level.

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

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

64 **SECTION 3.** Of the funds appropriated to the Mississippi  
65 Department of Transportation under the provisions of Section 1,  
66 the following amounts shall be available for expenditure in the  
67 program budgets as required by Section 27-103-127, Mississippi  
68 Code of 1972:

69 Administration and Other Expenses.....\$ 63,226,875.00



70	Construction.....	\$	992,776,149.00
71	Maintenance.....	\$	266,836,444.00
72	Debt Service.....	\$	79,485,952.00
73	Aeronautics, Rails and other.....	\$	36,477,122.00

74       **SECTION 4.** It is the intention of the Legislature that the  
75 Mississippi Department of Transportation shall maintain complete  
76 accounting and personnel records related to the expenditure of all  
77 funds appropriated under this act and that such records shall be  
78 in the same format and level of detail as maintained for Fiscal  
79 Year 2024. It is further the intention of the Legislature that  
80 the agency's budget request for Fiscal Year 2026 shall be  
81 submitted to the Joint Legislative Budget Committee in a format  
82 and level of detail comparable to the format and level of detail  
83 provided during the Fiscal Year 2025 budget request process.

84       **SECTION 5.** Of the funds appropriated in Section 1, it is the  
85 intention of the Legislature that Six Hundred Fifty Thousand  
86 Dollars (\$650,000.00) shall be transferred to the Department of  
87 Agriculture and Commerce for the Beaver Control or Eradication  
88 Program during the Fiscal Year 2025.

89       **SECTION 6.** Of the funds appropriated in Section 1 and  
90 authorized for expenditure in Section 3, Five Million Dollars  
91 (\$5,000,000.00) shall be transferred by the Mississippi Department  
92 of Transportation to the Department of Public Safety Office of  
93 Commercial Transportation Enforcement Division for the operations



94 of the Division consistent with Section 77-7-330, Mississippi Code  
95 of 1972.

96         **SECTION 7.** Of the funds appropriated in Section 1 of this  
97 act, the Mississippi Department of Transportation shall expend  
98 such funds as necessary to conduct project planning. Such project  
99 planning shall apply to all preliminary engineering, right-of-way  
100 acquisition and construction projects of the department and, at a  
101 minimum, shall consist of policies for the oversight and  
102 management of project cost which:

103                 (a) Establish a reasonable cost estimate for each  
104 project. For purposes of this provision, projects include  
105 preliminary engineering, right-of-way acquisition and  
106 construction;

107                 (b) Capture and retain the initial project cost  
108 estimates for comparison with final actual expenditures;

109                 (c) Require that any changes to a cost estimate for a  
110 project will be reviewed and approved by district or central  
111 office personnel. Such personnel shall be responsible for signing  
112 any revision, and providing a narrative description of the reasons  
113 for approving a revision;

114                 (d) Capture the cost of consultants, engineers,  
115 attorneys, contract appraisers and other technical and  
116 professional contractors used in preliminary engineering,  
117 right-of-way acquisition and construction projects.



118           **SECTION 8.** None of the funds appropriated under the  
119 provisions of Section 1 of this act may be expended by the  
120 Department of Transportation for construction of new highways if  
121 such highway segment is less than ten (10) miles in length unless:

122           (a) The explanation and justification for letting such  
123 a contract for a length of less than ten (10) miles is entered  
124 upon the official minutes of the Transportation Commission;

125           (b) The commission, within ten (10) working days after  
126 entry of its explanation and justification upon its minutes, gives  
127 notice, by United States First Class Mail, and provides a copy of  
128 such entry upon its minutes, to the Chairman of the Transportation  
129 Committee of the Mississippi House of Representatives and the  
130 Chairman of the Mississippi Senate Highways and Transportation  
131 Committee.

132           **SECTION 9.** It is the intention of the Legislature that of the  
133 sum appropriated in Section 1, the Department is authorized to  
134 provide a protective footwear allowance of not more than Two  
135 Hundred Dollars (\$200.00) per person annually for Engineers,  
136 Maintenance, and Construction Workers as part of their safety  
137 equipment.

138           **SECTION 10.** Of the funds appropriated to the Mississippi  
139 Department of Transportation, Four Hundred Fifty Thousand Dollars  
140 (\$450,000.00) shall be used for the Statewide Litter Prevention  
141 Program.



142           **SECTION 11.** Of the funds appropriated in Section 1, not less  
143 than Eighty Million Dollars (\$80,000,000.00) shall be expended for  
144 contracted maintenance overlay and pavement rehabilitation.

145           **SECTION 12.** It is the intention of the Legislature that the  
146 Mississippi Department of Transportation is authorized to transfer  
147 between the various programs in an amount not to exceed ten  
148 percent (10%) of the amount allocated in Section 3, except that no  
149 transfers shall be authorized which increase the "Administrative  
150 and Other Expenses" Program or which decrease the "Maintenance"  
151 Program.

152           **SECTION 13.** It is the intention of the Legislature that the  
153 Mississippi Department of Transportation is authorized to expend  
154 an amount not to exceed Thirty Million Dollars (\$30,000,000.00)  
155 received from other public or private entities as reimbursements  
156 for payments made on federal projects.

157           **SECTION 14.** With the funds appropriated in this act, the  
158 Mississippi Department of Transportation shall notify members of  
159 the Mississippi Senate and House of Representatives upon the award  
160 of projects within their respective districts and at least five  
161 (5) days prior to a public ceremony announcing the award of any  
162 grant in their district or any public announcement of ceremony  
163 regarding the groundbreaking or opening of a facility, roadway or  
164 bridge for which the Legislature has made funds available. Any  
165 signage regarding any public event or any new facility, roadway or  
166 bridge shall include the following language: "Funds were made



167 available for this project by the Mississippi State Legislature."  
168 Further, the signage shall state the four-year legislative term in  
169 which the project was funded.

170 **SECTION 15.** It is the intention of the Legislature that  
171 whenever two (2) or more bids are received by this agency for the  
172 purchase of commodities or equipment, and whenever all things  
173 stated in such received bids are equal with respect to price,  
174 quality and service, the Mississippi Industries for the Blind  
175 shall be given preference. A similar preference shall be given to  
176 the Mississippi Industries for the Blind whenever purchases are  
177 made without competitive bids.

178 **SECTION 16.** The Mississippi Department of Transportation is  
179 authorized to dispose of or transfer used cell phones that are  
180 obsolete or inoperable to cell phone recycling programs dedicated  
181 to providing free phone access to United States military  
182 personnel.

183 **SECTION 17.** In compliance with the "Mississippi Performance  
184 Budget and Strategic Planning Act of 1994," it is the intent of  
185 the Legislature that the funds provided herein shall be utilized  
186 in the most efficient and effective manner possible to achieve the  
187 intended mission of this agency. Based on the funding authorized,  
188 this agency shall make every effort to attain the targeted  
189 performance measures provided below:

190		FY2025
191	<u>Performance Measures</u>	<u>Target</u>





192	Maintenance	
193	Number of Acres Mowed (First & Subsequent)	290,000
194	Percent Increase of Acreage Mowed	0.66
195	Slow the Expected Increases of Total	
196	Fatalities According to a 5 Year Rolling	
197	Average (697 or Less)	763.00
198	Percent Decrease in State-Maintained	
199	Lane Miles Needing Repair or	
200	Rehabilitation	3.50
201	Percent of Pavement Needs Met Annually	0.12
202	Percent of 4 Lane Highway Lane-Miles	
203	with an Acceptable Pavement Condition	
204	Rating	78.00
205	Percent of Interstate Lane-Miles with an	
206	Acceptable Pavement Condition Rating	73.00
207	Percent of 2 Lane Highway Lane-Miles	
208	with an Acceptable Pavement Condition	
209	Rating	70.00
210	Cost per Mile to Maintain State Highways	26,499
211	Number of Bridges in Poor Condition	170
212	Number of Bridges with Timber Components	105
213	Construction	
214	Percent of Miles of State Maintained	
215	Highways that Meet MDOT Thresholds for	
216	Congestion	2.11



217	Number of Lane Miles of State Maintained	
218	Highways Requiring Additional Capacity	591.46
219	Cost per Mile to Construct State Highways	21,000,000.00
220	Administration & Other	
221	Administration as a Percent of Total Budget	4.25
222	GO-MDOT-Total Number of Page Views	1,131,089
223	Percent Increase in Utilization of	
224	MDOTTRAFFIC.com Website	4.25
225	Bonded Debt Service	
226	MDOT's Share of Annual Debt Service will	
227	Not Exceed 3.75% of Annual Budget	0.74
228	Aeronautics & Rails	
229	Number of Airports Inspected	69
230	Number of Grade Crossings Inspected	2,100
231	A reporting of the degree to which the performance targets	
232	set above have been or are being achieved shall be provided in the	
233	agency's budget request submitted to the Joint Legislative Budget	
234	Committee for Fiscal Year 2026.	

235       **SECTION 18.** The Mississippi Department of Transportation is  
236 authorized to accept and expend any grant, donation, or  
237 contribution from any individual, public, or private organization,  
238 or government entity for purposes of defraying the operational  
239 costs of the department. Such grants, donations or contributions  
240 shall be received and expended under the rules and regulations of  
241 the Department of Finance and Administration in a manner



242 consistent with the escalation of federal funds not to exceed One  
243 Hundred Twenty-five Million Dollars (\$125,000,000.00).

244       **SECTION 19.** With the funds appropriated herein, the  
245 Mississippi Department of Transportation is authorized to make  
246 payments for expenses incurred during prior fiscal years for an  
247 amount not to exceed Forty-six Thousand Nine Hundred Thirteen  
248 Dollars and Ninety-one Cents (\$46,913.91).

249       **SECTION 20.** In addition to all other funds appropriated  
250 herein, the following sums, or so much thereof as may be  
251 necessary is appropriated out of the following funds in the State  
252 Treasury to the credit of the Department of Transportation for the  
253 fiscal year beginning July 1, 2024, and ending June 30, 2025:

254       (a) 2022 Capacity Project Fund for the purposes provided in  
255 Section 65-1-141.2, Mississippi Code of 1972.....  
256 .....\$ 250,000,000.00.

257       (b) 2022 Infrastructure Match Fund for the purposes provided  
258 in Section 65-1-183, Mississippi Code of 1972....  
259 .....\$ 80,000,000.00.

260       (c) 2022 Emergency Road and Bridge Fund for the purposes  
261 provided in Section 65-1-179.1, Mississippi Code of 1972.....  
262 .....\$ 90,000,000.00.

263       (d) Strategic Multi-Modal Investments Fund for the purposes  
264 provided in Section 65-1-901, Mississippi Code of 1972.....  
265 .....\$ 30,000,000.00



266 (e) 2023 DeSoto County Infrastructure Improvement Funds for  
267 the purposes provided in Section 65-1-185, Mississippi Code of  
268 1972.....\$ 115,000,000.00

269 (f) 2023 Lafayette County Infrastructure Improvement Funds  
270 for the purposes provided in Section 65-1-187, Mississippi Code of  
271 1972.....\$ 175,000,000.00

272 (g) 2023 Gulfport Commerce Corridor Fund for the purposes  
273 provided in Section 65-1-189, Mississippi Code of 1972.....  
274 .....\$ 15,400,000.00

275 (h) 2022 Local Improvements Projects Fund for the purposes  
276 provided in Section 27-104-371.....\$ 5,600,000.00

277 (i) Gulf Coast Passenger Rail Restoration Match Fund as  
278 created in SB 2468, 2024 Regular Session.....\$ 6,000,000.00.

279 **SECTION 21.** It is the intent of the Legislature that the  
280 funds appropriated in Section 20 subsection (c) of this act shall  
281 be expended on the projects included in the 2022 ERBR  
282 Solicitation.

283 **SECTION 22.** As a condition of receiving and expending the  
284 funds appropriated to the department in Section 20 subsection (d)  
285 of this act, the department shall ensure at least Ten Million  
286 Dollars (\$10,000,000.00) is allocated to port projects.

287 **SECTION 23.** It is the intention of the Legislature that the  
288 Mississippi Department of Transportation shall expend such funds  
289 appropriated in Section 20 subsection (a), (b), and (c) as  
290 necessary to conduct project planning. Such project planning



291 shall apply to all preliminary engineering, right-of-way  
292 acquisition and construction projects of the department and, at a  
293 minimum, shall consist of policies for the oversight and  
294 management of project cost which:

295 (a) Establish a reasonable cost estimate for each project.  
296 For purposes of this provision, projects include preliminary  
297 engineering, right-of-way acquisition and construction;

298 (b) Capture and retain the initial project cost estimates  
299 for comparison with final actual expenditures;

300 (c) Require that any changes to a cost estimate for a  
301 project will be reviewed and approved by district or central  
302 office personnel. Such personnel shall be responsible for signing  
303 any revision, and providing a narrative description of the reasons  
304 for approving a revision;

305 (d) Capture the cost of consultants, engineers, attorneys,  
306 contract appraisers and other technical and professional  
307 contractors used in preliminary engineering, right-of-way  
308 acquisition and construction projects.

309 **SECTION 24.** Of the funds appropriated in Section 2,  
310 Three-Hundred Thousand Dollars (\$300,000.00), or so much thereof  
311 as may be necessary, shall be derived out of any money in the  
312 State Treasury to the credit of the Project Poppy Fund, as created  
313 in Senate Bill 2001, 1st Extraordinary Session of 2024, and  
314 allocated in a manner as determined by the Treasurer's Office.



315 These funds are provided for expediting services needed for  
316 Project Poppy.

317         **SECTION 25.** The money herein appropriated shall be paid by  
318 the State Treasurer out of any money in the State Treasury to the  
319 credit of the proper fund or funds as set forth in this act, upon  
320 warrants issued by the State Fiscal Officer; and the State Fiscal  
321 Officer shall issue his warrants upon requisitions signed by the  
322 proper person, officer or officers, in the manner provided by law.

323         **SECTION 26.** This act shall take effect and be in force from  
324 and after July 1, 2024.

