

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

To: Appropriations E;
Appropriations A

HOUSE BILL NO. 1934

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING
2 THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL
3 YEAR 2027.

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 General
7 Fund not otherwise appropriated, for the purpose of defraying the
8 expenses of the Mississippi Arts Commission for the fiscal year
9 beginning July 1, 2026, and ending June 30, 2027.....
10\$ 1,686,731.00.

11 **SECTION 2.** The following sum, or so much thereof as may be
12 necessary, is appropriated out of any money in the special fund in
13 the State Treasury to the credit of the Mississippi Arts
14 Commission which is comprised of special source funds and
15 donations collected by or otherwise available to the commission,
16 for the purpose of defraying the expenses of the commission for
17 the fiscal year beginning July 1, 2026, and ending June 30, 2027..
18\$ 2,699,838.00.



19 **SECTION 3.** Of the funds appropriated under the provisions of
20 this act, not more than the following amount of funds, with the
21 exception of the provisions in this section, shall be expended
22 only for "Personal Services," which includes "Vacancy Funding,"
23 for the following authorized number of employment headcount:

24 FUNDING:

25 General Funds:	\$ 1,042,816.00
26 Special Funds:	\$ 125,684.00
27 Total Funds:	\$ 1,168,500.00

28 PERSONAL SERVICES:

29 Employee Salaries, Wages and	
30 Fringe Benefits:	\$ 1,168,500.00
31 Progressions:	\$ 0.00
32 Vacancy Funding:	\$ 0.00
33 Total Personal Services:	\$ 1,168,500.00

34 AUTHORIZED HEADCOUNT:

35 Permanent:	11
36 Time-Limited:	2

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

41 It is the intention of the Legislature to ensure compliance
42 with the Variable Compensation Plan, as outlined in Section
43 25-9-147, Mississippi Code of 1972. Payment from these funds shall



44 be in accordance with the Variable Compensation Plan promulgated
45 by the Mississippi State Personnel Board. It is the Legislature's
46 intention that no employee's salary falls below the minimum salary
47 established by the Mississippi State Personnel Board.

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

52 With the funds herein appropriated, it shall be the agency's
53 responsibility to ensure that no single personnel action or
54 combination of personnel actions, when annualized, exceeds the
55 Fiscal Year 2027 appropriation for "Personal Services" with the
56 exception of escalated funds. Further, it shall be the agency's
57 responsibility to ensure that funds required to be appropriated
58 for "Personal Services" for Fiscal Year 2028 do not exceed Fiscal
59 Year 2027 funds appropriated for that purpose unless programs or
60 positions are added to the agency's Fiscal Year 2027 budget by the
61 Mississippi Legislature.

62 If, at the time the agency takes any action to change
63 "Personal Services," the State Personnel Board determines that the
64 agency has taken or will take an action that would cause the
65 agency to exceed the funds appropriated in this act when
66 annualized for Fiscal Year 2027 or increase the need for "Personal
67 Services" for Fiscal Year 2028, when annualized, the State
68 Personnel Board shall process no salary actions until such time as



69 the requirements of the provisions of this section are met with
70 the exception of new hires determined to be essential for the
71 agency.

72 When used in this section, "Vacancy Funding" shall mean funds
73 included in the Total Personal Services amount listed above and
74 designated for approved vacancies in Fiscal Year 2027. These funds
75 are to be utilized to increase the number of filled headcounts
76 that were authorized but unfilled as of the last day of Fiscal
77 Year 2026. If the agency fills additional headcounts after
78 February 1, 2026, until the end of Fiscal Year 2026, the amount of
79 available Vacancy Funding may be proportionally adjusted to
80 reflect the updated number of filled headcounts. The agency shall
81 be responsible for ensuring that "Vacancy Funding" is used to
82 increase headcounts and not for promotions, title changes,
83 in-range salary adjustments, or any other mechanism for increasing
84 salaries for current employees.

85 Any transfers or escalations shall be made in accordance with
86 the terms, conditions, and procedures established by law or
87 allowable under the terms set forth within this act. The State
88 Personnel Board shall not escalate positions or increase the
89 Personal Services total without written approval from the
90 Department of Finance and Administration. The Department of
91 Finance and Administration shall not provide written approval to
92 escalate any funds for salaries and/or headcounts without proof of
93 availability of new or additional funds above the appropriated



94 level. Unless specifically noted, all Fiscal Year 2026 escalated
95 headcounts have been accounted for and shall be converted to
96 authorized time-limited headcounts.

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

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

105 If the agency's total authorized headcount decreases from
106 Fiscal Year 2026 to Fiscal Year 2027, it will be the agency's
107 discretion as to what headcounts are removed.

108 **SECTION 4.** It is the intention of the Legislature that the
109 Mississippi Arts Commission shall maintain complete accounting and
110 personnel records related to the expenditure of all funds
111 appropriated under this act and that such records shall be in the
112 same format and level of detail as maintained for Fiscal Year
113 2026. It is further the intention of the Legislature that the
114 agency's budget request for Fiscal Year 2028 shall be submitted to
115 the Joint Legislative Budget Committee in a format and level of
116 detail comparable to the format and level of detail provided
117 during the Fiscal Year 2027 budget request process.



118 **SECTION 5.** Of the funds appropriated under the provisions of
119 Section 2, funds in the amount of One Million Four Hundred Ninety
120 Thousand Dollars (\$1,490,000.00) shall be derived from the
121 Education Enhancement Fund deposited pursuant to Sections 27-65-75
122 and 27-67-31, Mississippi Code of 1972, for the following:

123 Training of educators and promotion of arts programs in
124 public schools.....\$ 100,000.00
125 Miscellaneous grants and programs.....\$ 350,000.00
126 Whole Schools Initiative.....\$ 1,040,000.00

127 **SECTION 6.** The following sum, or so much thereof as may be
128 necessary, is reappropriated out of any money in the Capital
129 Expense Fund not otherwise appropriated, for the Mississippi Arts
130 Commission for the purpose of reauthorizing the expenditure of
131 Capital Expense Funds as authorized in House Bill 41, 2025 First
132 Extraordinary Session, to provide for the Building Fund for the
133 Arts for the fiscal year beginning July 1, 2026, and ending June
134 30, 2027..... \$3,600,000.00.

135 Notwithstanding the amount reappropriated under the
136 provisions of this section, in no event shall the amount expended
137 exceed the unexpended balances as of June 30, 2026. In addition,
138 this reappropriation shall not change the purpose for which the
139 funds were originally authorized.

140 **SECTION 7.** It is the intention of the Legislature that
141 whenever two (2) or more bids are received by this agency for the
142 purchase of commodities or equipment, and whenever all things



143 stated in such received bids are equal with respect to price,
144 quality and service, the Mississippi Industries for the Blind
145 shall be given preference. A similar preference shall be given to
146 the Mississippi Industries for the Blind whenever purchases are
147 made without competitive bids.

148 **SECTION 8.** It is the intention of the Legislature that the
149 funds herein appropriated shall be expended in compliance with
150 Section 27-104-25, Mississippi Code of 1972, that no state agency
151 shall incur obligations or indebtedness in excess of their
152 appropriation and that the responsible officers, either personally
153 or upon their official bonds, shall be held responsible for
154 actions contrary to this provision.

155 **SECTION 9.** It is the intention of the Legislature that the
156 Arts Commission may retain an amount not to exceed one percent
157 (1%) of the monies in the Building Fund for the Arts for the
158 purpose of defraying administrative costs associated with
159 administering the grant program established in Section 39-11-13,
160 Mississippi Code of 1972.

161 **SECTION 10.** The money herein appropriated shall be paid by
162 the State Treasurer out of any money in the State Treasury to the
163 credit of the proper fund or funds as set forth in this act, upon
164 warrants issued by the State Fiscal Officer; and the State Fiscal
165 Officer shall issue his warrants upon requisitions signed by the
166 proper person, officer or officers, in the manner provided by law.



167 **SECTION 11.** This act shall take effect and be in force from
168 and after July 1, 2026.

