AN ACT MAKING AN APPROPRIATION TO THE SECRETARY OF STATE FROM THE BUDGET CONTINGENCY FUND FOR THE PERIOD BEGINNING ON JULY 1, 2020, AND ENDING DECEMBER 30, 2020; TO PROVIDE THAT THE APPROPRIATION SHALL BE USED TO PURCHASE OPTICAL MARK READING (OMR) EQUIPMENT VOTING MACHINES TO REPLACE DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT (DRE UNIT), TO HIRE ADDITIONAL POLL MANAGERS FOR EACH PRECINCT FOR ELECTION DAY, TO PAY POLL MANAGERS AND ELECTION COMMISSIONERS HAZARD PAY AND TO HIRE ADDITIONAL DEPUTY CIRCUIT CLERKS FOR THIRTY-FIVE BUSINESS DAYS AND THREE SATURDAYS BEFORE AN ELECTION; TO PROVIDE THAT RECEIVING WILL RECEIVE THOSE FUNDS AS REIMBURSEMENTS FROM THE SECRETARY OF STATE UPON APPLICATION; AND FOR RELATED PURPOSES.

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

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Budget Contingency Fund not otherwise appropriated, to the Secretary of State for the purposes described in Section 2 of this act for the period beginning on July 1, 2020, and ending December 30, 2020
$16,490,375.00.

SECTION 2. (1) The money appropriated to the Secretary of State in Section 1 of this act shall be distributed as follows:
(a) For the purchase of Optical Mark Reading (OMR) equipment voting machines to replace Direct Recording Electronic
voting equipment (DRE unit), which require human contact and
cannot easily be cleaned between uses, to lower the risk of
exposing voters to COVID-19 on election day... $15,000,000.00.

(b) To the boards of supervisors of each county to hire
two thousand thirty-nine (2,039) additional poll managers for each
precinct for election day for One Hundred Twenty-five Dollars
($125.00) for the day to help with disinfecting the polling place
throughout the day, promoting social distancing within the polling
place, facilitating a potential increase in curbside voting,
potentially distributing personal protective equipment (PPE) to
voters and any other issue that might arise on election day due to
the COVID-19 public health emergency............... $254,875.00.

(c) To the boards of supervisors of each county to pay
each poll manager Fifty Dollars ($50.00) in addition to his or her
regular compensation for pandemic pay due to the increased risk of
exposure to COVID-19 at the polling place on the day of the
election.............................................. $550,000.00.

(d) To the boards of supervisors of each county to pay
each election commissioner Fifty Dollars ($50.00) in addition to
their regular compensation for pandemic pay due to the increased
risk of exposure to COVID-19 at the polling place on the day of
the election for the day of the election................. $20,500.00.

(e) To the circuit clerks of each county to hire
additional deputy circuit clerks for One Hundred Dollars ($100.00)
a day based on the voting age population of each county, for a
total of one hundred seventy-five (175) additional clerks, for the thirty-five (35) business days and three (3) Saturdays before an election, to help with processing any additional absentee ballots, facilitating social distancing at the circuit clerk's office for absentee voting and voter registration and any other issues that might arise before election day due to the COVID-19 public health emergency. $ 665,000.00.

(2) (a) The money authorized to be distributed under paragraphs (b) and (e) of subsection (1) of this section shall be paid to receiving entities as reimbursement for those actual expenses upon application to the Secretary of State by those entities.

(b) For the money authorized to be distributed under paragraph (c) of subsection (1) of this section, the receiving entities shall notify the Secretary of State by a date certain established by the Secretary of State of the number of poll managers to be hired, and the Secretary of State shall disburse the funds to the receiving entity up to the allotted amount. The receiving entity shall provide proof of payment to the Secretary of State by December 1, 2020. If less poll managers are hired, the receiving entity shall return the unused funds to the Secretary of State by December 20, 2020.

SECTION 3. None of the funds appropriated under this act shall be expended or otherwise used for any purpose by the Secretary of State or by any recipient of those funds if the
Secretary of State or recipient has received reimbursement for that expenditure or other use from another source of funds.

**SECTION 4.** The Secretary of State shall not disburse any funds appropriated under this act to any recipient without first:

(a) making an individualized determination that the reimbursement sought is, in the Secretary of State's independent judgment, for necessary expenditures incurred due to the public health emergency with respect to COVID-19 as provided under Section 601(d) of the federal Social Security Act as added by Section 5001 of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 601 of the federal Social Security Act as added by Section 5001 of the CARES Act. In addition, the Secretary of State shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.
SECTION 5. (1) As a condition of receiving and expending the funds appropriated to the Secretary of State under this act, the Secretary of State shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the Secretary of State under this act is in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus Relief Fund established by the CARES Act.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus Relief Fund established by the CARES Act (a) determines that the Secretary of State has expended or otherwise used any of the funds appropriated to the Secretary of State under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus Relief Fund established by the CARES Act, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the Secretary of State, then the Secretary of State that expended or otherwise used those funds improperly shall be required to pay the amount of
those funds to the State of Mississippi for repayment to the federal government.

**SECTION 6.** The money appropriated by this act shall be paid by the State Treasurer out of any money in the Budget Contingency Fund not otherwise appropriated, 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 7.** This act shall take effect and be in force from and after July 1, 2020.