

By: Representative Beckett

To: Rules

HOUSE BILL NO. 1789  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION TO THE SECRETARY OF STATE FROM  
2 THE BUDGET CONTINGENCY FUND FOR THE PERIOD BEGINNING ON JULY 1,  
3 2020, AND ENDING DECEMBER 30, 2020; TO PROVIDE THAT THE  
4 APPROPRIATION SHALL BE USED TO HIRE ADDITIONAL POLL MANAGERS FOR  
5 EACH PRECINCT FOR ELECTION DAY AND FOR OTHER ELECTION-RELATED  
6 EXPENSES IN ACCORDANCE WITH THE FEDERAL CARES ACT AND ITS  
7 IMPLEMENTING GUIDELINES, RULES AND REGULATIONS; TO PROVIDE THAT  
8 RECIPIENTS WILL RECEIVE THOSE FUNDS FROM THE SECRETARY OF STATE  
9 UPON APPLICATION; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** The following sum, or so much of it as may be  
12 necessary, is appropriated out of any money in the Budget  
13 Contingency Fund not otherwise appropriated, to the Secretary of  
14 State for the purposes described in Section 2 of this act for the  
15 period beginning on July 1, 2020, and ending December 30, 2020  
16 .....\$ 1,000,000.00.

17 **SECTION 2.** (1) The money appropriated to the Secretary of  
18 State in Section 1 of this act shall be distributed as follows:

19 (a) To the boards of supervisors of each county to hire  
20 two thousand thirty-nine (2,039) additional poll managers for each  
21 precinct based on the pro rata share of precincts in the county



22 for election day for One Hundred Twenty-five Dollars (\$125.00) for  
23 the day to help with disinfecting the polling place throughout the  
24 day, promoting social distancing within the polling place,  
25 facilitating a potential increase in curbside voting, potentially  
26 distributing personal protective equipment (PPE) to voters and any  
27 other issue that might arise on election day due to the COVID-19  
28 public health emergency.....\$ 254,875.00.

29 (b) To the boards of supervisors of each county based  
30 on population for election-related expenses in accordance with the  
31 federal Coronavirus Aid, Relief, and Economic Security (CARES) Act  
32 and its implementing guidelines, guidance, rules, regulations  
33 and/or other criteria, as may be amended or supplemented from time  
34 to time, by the United States Department of  
35 the Treasury.....\$ 745,125.00.

36 (2) The money authorized to be distributed under paragraphs  
37 (a) and (b) of subsection (1) of this section shall be paid to  
38 receiving entities upon application to the Secretary of State for  
39 those anticipated expenses.

40 (3) If on December 1, 2020, there are unexpended monies in  
41 the fund, those monies shall be transferred to the Unemployment  
42 Compensation Fund.

43 **SECTION 3.** None of the funds appropriated under this act  
44 shall be expended or otherwise used for any purpose by the  
45 Secretary of State or by any recipient of those funds if the



46 Secretary of State or recipient has received reimbursement for  
47 that expenditure or other use from another source of funds.

48         **SECTION 4.** The Secretary of State shall not disburse any  
49 funds appropriated under this act to any recipient without first:  
50 (a) making an individualized determination that the request for  
51 funds sought is, in the Secretary of State's independent judgment,  
52 for necessary expenditures expected due to the public health  
53 emergency with respect to COVID-19 as provided under Section  
54 601(d) of the federal Social Security Act as added by Section 5001  
55 of the federal Coronavirus Aid, Relief, and Economic Security  
56 (CARES) Act and its implementing guidelines, guidance, rules,  
57 regulations and/or other criteria, as may be amended or  
58 supplemented from time to time, by the United States Department of  
59 the Treasury; and (b) determining that the applicant has not  
60 received and will not receive reimbursement for the anticipated  
61 expenses in question from any source of funds, including insurance  
62 proceeds, other than those funds provided under Section 601 of the  
63 federal Social Security Act as added by Section 5001 of the CARES  
64 Act. In addition, the Secretary of State shall ensure that all  
65 funds appropriated under this act are disbursed in compliance with  
66 the Single Audit Act (31 USC Sections 7501-7507) and the related  
67 provisions of the Uniform Guidance, 2 CFR Section 200.303  
68 regarding internal controls, Sections 200.330 through 200.332  
69 regarding subrecipient monitoring and management, and subpart F  
70 regarding audit requirements.



71           **SECTION 5.** (1) As a condition of receiving and expending  
72 the funds appropriated to the Secretary of State under this act,  
73 the Secretary of State shall certify to the Department of Finance  
74 and Administration that each expenditure of the funds appropriated  
75 to the Secretary of State under this act is in compliance with the  
76 guidelines, guidance, rules, regulations and/or other criteria, as  
77 may be amended from time to time, of the United States Department  
78 of the Treasury regarding the use of monies from the Coronavirus  
79 Relief Fund established by the CARES Act.

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



96 those funds to the State of Mississippi for repayment to the  
97 federal government.

98         **SECTION 6.** The money appropriated by this act shall be paid  
99 by the State Treasurer out of any money in the Budget Contingency  
100 Fund not otherwise appropriated, upon warrants issued by the State  
101 Fiscal Officer; and the State Fiscal Officer shall issue his  
102 warrants upon requisitions signed by the proper person, officer or  
103 officers in the manner provided by law.

104         **SECTION 7.** This act shall take effect and be in force from  
105 and after July 1, 2020.

