

By: Representatives Bounds, Paden, Dortch,  
Walker, Johnson, Hines, Crudup, Foster,  
McCray

To: Rules

HOUSE BILL NO. 1797

1 AN ACT MAKING AN APPROPRIATION FROM THE MISSISSIPPI BROADBAND  
2 AVAILABILITY GRANT PROGRAM FUND TO THE MISSISSIPPI DEPARTMENT OF  
3 EDUCATION FOR PURPOSES OF THE MISSISSIPPI BROADBAND AVAILABILITY  
4 ACT; 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 of it as may be  
7 necessary, is appropriated out of any money in the Mississippi  
8 Broadband Availability Grant Program Fund to the Mississippi  
9 Department of Education for the purposes described in the  
10 Mississippi Broadband Availability Act, for the period beginning  
11 upon July 1, 2020, and ending December 30, 2020, or to such later  
12 date as may be specified in the guidelines, guidance rules,  
13 regulations and/or other criteria of the United States Department  
14 of the Treasury regarding the use of monies from the Coronavirus  
15 Relief Fund established by the Coronavirus Aid, Relief, and  
16 Economic Security Act, but not to a date later than June 30,  
17 2021.....\$ 50,000,000.00.

18 **SECTION 2.** The Mississippi Department of Education shall not  
19 disburse any funds appropriated under this act to any recipient



20 without first: (a) making an individualized determination that  
21 the reimbursement sought is, in the Mississippi Department of  
22 Education's independent judgment, for necessary expenditures  
23 incurred due to the public health emergency with respect to  
24 Covid-19 as provided under Section 601(d) of the federal Social  
25 Security Act as added by Section 5001 of the federal Coronavirus  
26 Aid, Relief, and Economic Security (CARES) Act and its  
27 implementing guidelines, guidance, rules, regulations and/or other  
28 criteria, as may be amended or supplemented from time to time, by  
29 the United States Department of the Treasury; and (b) determining  
30 that the recipient has not received and will not receive  
31 reimbursement for the expense in question from any source of  
32 funds, including insurance proceeds, other than those funds  
33 provided under Section 601 of the federal Social Security Act as  
34 added by Section 5001 of the CARES Act. In addition, the  
35 Mississippi Department of Education shall ensure that all funds  
36 appropriated under this act are disbursed in compliance with the  
37 Single Audit Act (31 USC Sections 7501-7507) and the related  
38 provisions of the Uniform Guidance, 2 CFR Section 200.303  
39 regarding internal controls, Sections 200.330 through 200.332  
40 regarding subrecipient monitoring and management, and subpart F  
41 regarding audit requirements.

42       **SECTION 3.** (1) As a condition of receiving and expending  
43 the funds appropriated to the Mississippi Department of Education  
44 under this act, the Mississippi Department of Education shall



45 certify to the Department of Finance and Administration that each  
46 expenditure of the funds appropriated to the Mississippi  
47 Department of Education under this act is in compliance with the  
48 guidelines, guidance, rules, regulations and/or other criteria, as  
49 may be amended from time to time, of the United States Department  
50 of the Treasury regarding the use of monies from the Coronavirus  
51 Relief Fund established by the CARES Act.

52 (2) If the Office of Inspector General of the United States  
53 Department of the Treasury, or the Office of Inspector General of  
54 any other federal agency having oversight over the use of monies  
55 from the Coronavirus Relief Fund established by the CARES Act (a)  
56 determines that the Mississippi Department of Education has  
57 expended or otherwise used any of the funds appropriated to the  
58 Mississippi Department of Education under this act for any purpose  
59 that is not in compliance with the guidelines, guidance, rules,  
60 regulations and/or other criteria, as may be amended from time to  
61 time, of the United States Department of the Treasury regarding  
62 the use of monies from the Coronavirus Relief Fund established by  
63 the CARES Act, and (b) the State of Mississippi is required to  
64 repay the federal government for any of those funds that the  
65 Office of the Inspector General determined were expended or  
66 otherwise used improperly by the Mississippi Department of  
67 Education, then the Mississippi Department of Education that  
68 expended or otherwise used those funds improperly shall be



69 required to pay the amount of those funds to the State of  
70 Mississippi for repayment to the federal government.

71           **SECTION 4.** This act shall take effect and be in force from  
72 and after July 1, 2020.

