

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.

