

By: Representative Byrd

To: Rules

HOUSE BILL NO. 1799
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM THE BUDGET CONTINGENCY
2 FUND TO THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY FOR THE
3 MISSISSIPPI COUNTY AND MUNICIPALITY EMERGENCY RELIEF PROGRAM FOR
4 THE REIMBURSEMENT OF COUNTIES AND MUNICIPALITIES FOR ELIGIBLE
5 EXPENDITURES INCURRED IN RESPONSE TO THE COVID-19 PANDEMIC; AND
6 FOR RELATED PURPOSES.

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

8 **SECTION 1.** The following sum, or so much of it as may be
9 necessary, is appropriated out of any money in the Budget
10 Contingency Fund not otherwise appropriated, to the Mississippi
11 Emergency Management Agency COVID-19 Fund (Fund Number 6820174100)
12 for the Mississippi County and Municipality Emergency Relief
13 Program for the reimbursement of counties and municipalities for
14 eligible expenditures incurred in response to the COVID-19
15 pandemic, as authorized under Senate Bill No. 3047, 2020 Regular
16 Session, for the period beginning upon July 1, 2020, and ending
17 December 30, 2020.....\$70,000,000.00.

18 Of the funds appropriated under this section, no more than
19 Five Hundred Thousand Dollars (\$500,000.00) may be retained by the
20 Mississippi Emergency Management Agency to administer the program.



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

44 **SECTION 3.** (1) As a condition of receiving and expending
45 the funds appropriated to the Mississippi Emergency Management



46 Agency, the agency shall certify that each expenditure of the
47 funds appropriated to the agency under Section 1 of this act is in
48 compliance with the guidelines, guidance, rules, regulations
49 and/or other criteria, as may be amended from time to time, of the
50 United States Department of the Treasury regarding the use of
51 monies from the Coronavirus Relief Fund established by the federal
52 Coronavirus Aid, Relief, and Economic Security (CARES) Act.

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



71 required to pay the amount of those funds to the State of
72 Mississippi for repayment to the federal government.

73 **SECTION 4.** The money appropriated by this act shall be paid
74 by the State Treasurer out of any money in the Budget Contingency
75 Fund not otherwise appropriated, upon warrants issued by the State
76 Fiscal Officer; and the State Fiscal Officer shall issue his
77 warrants upon requisitions signed by the proper person, officer or
78 officers in the manner provided by law.

79 **SECTION 5.** This act shall take effect and be in force from
80 and after its passage.

