

By: Representative Horan

To: Rules

## HOUSE BILL NO. 1803

1 AN ACT MAKING AN APPROPRIATION FROM THE BUDGET CONTINGENCY  
2 FUND TO THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR THE PURPOSE  
3 OF ADDRESSING OR RELATING TO THE PUBLIC HEALTH EMERGENCY DUE TO  
4 THE COVID-19 PANDEMIC; 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 Budget  
8 Contingency Fund not otherwise appropriated, to the Mississippi  
9 Department of Corrections for purposes described in Section 2 of  
10 this act, for the period beginning upon July 1, 2020, and ending  
11 December 30, 2020.....\$20,000,000.00.

12 **SECTION 2.** The funds appropriated under Section 1 of this  
13 act shall be expended by the Mississippi Department of Corrections  
14 for the following purposes:

15 (a) Providing funds to the fifteen (15) regional  
16 correctional facilities to pay for personal protective equipment  
17 (PPE) for staff and inmates at the regional facilities, test kits,  
18 distant learning projects, virtual visitation solution, analytical



19 software and IT analysts, switch and network equipment upgrade  
20 and any other eligible COVID-19 related expenses....\$4,275,000.00.

21 (b) Providing funds to the state's private correctional  
22 facilities to pay for personal protective equipment (PPE) for  
23 staff and inmates within the private correctional facilities, test  
24 kits, distant learning projects, virtual visitation solution,  
25 analytical software and IT analysts, switch and network equipment  
26 upgrade and any other eligible COVID-19 related  
27 expenses.....\$1,500,000.00.

28 (c) Providing funds to the state's correctional  
29 facilities to pay for personal protective equipment (PPE) for  
30 staff and inmates within the state's correctional facilities,  
31 isolation or quarantine housing for parolees and/or discharged  
32 inmates who do not have appropriate housing available upon  
33 release, test kits, distant learning projects, virtual visitation  
34 solution, analytical software and IT analysts, switch and network  
35 equipment upgrade and any other eligible COVID-19 related  
36 expenses.....\$14,225,000.00.

37 **SECTION 3.** The Mississippi Department of Corrections shall  
38 not disburse any funds appropriated under this act to any  
39 recipient without first: (a) making an individualized  
40 determination that the reimbursement sought is, in the agency's  
41 independent judgment, for necessary expenditures incurred due to  
42 the public health emergency with respect to COVID-19 as provided  
43 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 Mississippi Department of Corrections 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 4.** (1) As a condition of receiving and expending the funds appropriated to the Mississippi Department of Corrections, the agency shall certify that each expenditure of the funds appropriated to the agency under Section 1 of 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 federal Coronavirus Aid, Relief, and Economic Security (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 Mississippi Department of Corrections or recipient has expended or otherwise used any of the funds appropriated to the Mississippi Department of Corrections 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 Mississippi Department of Corrections or recipient, then the Mississippi Department of Corrections or recipient, as the case may be, 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 5.** 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



93 warrants upon requisitions signed by the proper person, officer or  
94 officers in the manner provided by law.

95       **SECTION 6.** This act shall take effect and be in force from  
96 and after its passage.

