

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



44 by Section 5001 of the federal Coronavirus Aid, Relief, and
45 Economic Security (CARES) Act and its implementing guidelines,
46 guidance, rules, regulations and/or other criteria, as may be
47 amended or supplemented from time to time, by the United States
48 Department of the Treasury; and (b) determining that the recipient
49 has not received and will not receive reimbursement for the
50 expense in question from any source of funds, including insurance
51 proceeds, other than those funds provided under Section 601 of the
52 federal Social Security Act as added by Section 5001 of the CARES
53 Act. In addition, the Mississippi Department of Corrections shall
54 ensure that all funds appropriated under this act are disbursed in
55 compliance with the Single Audit Act (31 USC Sections 7501-7507)
56 and the related provisions of the Uniform Guidance, 2 CFR Section
57 200.303 regarding internal controls, Sections 200.330 through
58 200.332 regarding subrecipient monitoring and management, and
59 subpart F regarding audit requirements.

60 **SECTION 4.** (1) As a condition of receiving and expending
61 the funds appropriated to the Mississippi Department of
62 Corrections, the agency shall certify that each expenditure of the
63 funds appropriated to the agency under Section 1 of this act is in
64 compliance with the guidelines, guidance, rules, regulations
65 and/or other criteria, as may be amended from time to time, of the
66 United States Department of the Treasury regarding the use of
67 monies from the Coronavirus Relief Fund established by the federal
68 Coronavirus Aid, Relief, and Economic Security (CARES) Act.



69 (2) If the Office of Inspector General of the United States
70 Department of the Treasury, or the Office of Inspector General of
71 any other federal agency having oversight over the use of monies
72 from the Coronavirus Relief Fund established by the CARES Act (a)
73 determines that the Mississippi Department of Corrections or
74 recipient has expended or otherwise used any of the funds
75 appropriated to the Mississippi Department of Corrections under
76 this act for any purpose that is not in compliance with the
77 guidelines, guidance, rules, regulations and/or other criteria, as
78 may be amended from time to time, of the United States Department
79 of the Treasury regarding the use of monies from the Coronavirus
80 Relief Fund established by the CARES Act, and (b) the State of
81 Mississippi is required to repay the federal government for any of
82 those funds that the Office of the Inspector General determined
83 were expended or otherwise used improperly by the Mississippi
84 Department of Corrections or recipient, then the Mississippi
85 Department of Corrections or recipient, as the case may be, that
86 expended or otherwise used those funds improperly shall be
87 required to pay the amount of those funds to the State of
88 Mississippi for repayment to the federal government.

89 **SECTION 5.** The money appropriated by this act shall be paid
90 by the State Treasurer out of any money in the Budget Contingency
91 Fund not otherwise appropriated, upon warrants issued by the State
92 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.

