MISSISSIPPI LEGISLATURE

By: Representative Horan

TO: Rules

HOUSE BILL NO. 1803

AN ACT MAKING AN APPROPRIATION FROM THE BUDGET CONTINGENCY FUND TO THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR THE PURPOSE OF ADDRESSING OR RELATING TO THE PUBLIC HEALTH EMERGENCY DUE TO THE COVID-19 PANDEMIC; AND FOR RELATED PURPOSES.

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

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Budget Contingency Fund not otherwise appropriated, to the Mississippi Department of Corrections for purposes described in Section 2 of this act, for the period beginning upon July 1, 2020, and ending December 30, 2020..........................$20,000,000.00.

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

(a) Providing funds to the fifteen (15) regional correctional facilities to pay for personal protective equipment (PPE) for staff and inmates at the regional facilities, test kits, distant learning projects, virtual visitation solution, analytical
software and IT analysts, switch and network equipment upgrade
and any other eligible COVID-19 related expenses........$4,275,000.00.
(b) Providing funds to the state's private correctional
facilities to pay for personal protective equipment (PPE) for
staff and inmates within the private correctional facilities, test
kits, distant learning projects, virtual visitation solution,
analytical software and IT analysts, switch and network equipment
upgrade and any other eligible COVID-19 related
expenses..........................$1,500,000.00.
(c) Providing funds to the state's correctional
facilities to pay for personal protective equipment (PPE) for
staff and inmates within the state's correctional facilities,
isoaltion or quarantine housing for parolees and/or discharged
inmates who do not have appropriate housing available upon
release, test kits, distant learning projects, virtual visitation
solution, analytical software and IT analysts, switch and network
equipment upgrade and any other eligible COVID-19 related
expenses..........................$14,225,000.00.

SECTION 3. The Mississippi Department of Corrections shall
not disburse any funds appropriated under this act to any
recipient without first: (a) making an individualized
determination that the reimbursement sought is, in the agency's
independent judgment, for necessary expenditures incurred due to
the public health emergency with respect to COVID-19 as provided
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
warrants upon requisitions signed by the proper person, officer or
officers in the manner provided by law.

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