

By: Senator(s) Hopson

To: Appropriations

SENATE BILL NO. 3061

1 AN ACT MAKING AN APPROPRIATION FROM THE "POULTRY FARMER  
 2 STABILIZATION GRANT PROGRAM FUND", THE "MISSISSIPPI SUPPLEMENTAL  
 3 CFAP GRANT PROGRAM FUND", AND THE "SWEET POTATO FARM SUSTAINMENT  
 4 GRANT PROGRAM FUND" TO THE STATE DEPARTMENT OF AGRICULTURE AND  
 5 COMMERCE TO ADMINISTER THE GRANT PROGRAMS CREATED TO PROVIDE  
 6 FUNDING TO FARMERS IMPACTED BY THE COVID-19 PANDEMIC; AND FOR  
 7 RELATED PURPOSES.

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

9 **SECTION 1.** The following sum, or so much of it as may be  
 10 necessary, is appropriated out of any money in the "Poultry Farmer  
 11 Stabilization Grant Program Fund," to the State Department of  
 12 Agriculture and Commerce for purposes of administering the  
 13 "Mississippi Agriculture Stabilization Act," established in Senate  
 14 Bill No. 3058, 2020 Regular Session, for the period beginning upon  
 15 passage of this act and ending December 30, 2020..\$ 3,000,000.00.

16 **SECTION 2.** The following sum, or so much of it as may be  
 17 necessary, is appropriated out of any money in the "Mississippi  
 18 Supplemental CFAP Grant Program Fund," to the State Department of  
 19 Agriculture and Commerce for purposes of administering the  
 20 "Mississippi Agriculture Stabilization Act," established in Senate



21 Bill No. 3058, 2020 Regular Session, for the period beginning upon  
22 passage of this act and ending December 30, 2020..\$ 9,500,000.00.

23 **SECTION 3.** The following sum, or so much of it as may be  
24 necessary, is appropriated out of any money in the "Sweet Potato  
25 Farm Sustainment Grant Program Fund," to the State Department of  
26 Agriculture and Commerce for purposes of administering the  
27 "Mississippi Agriculture Stabilization Act," established in Senate  
28 Bill No. 3058, 2020 Regular Session, for the period beginning upon  
29 passage of this act and ending December 30, 2020....\$ 500,000.00.

30 **SECTION 4.** (1) As used in this section and Section 5 of  
31 this act, the term "agency" means the State Department of  
32 Agriculture and Commerce.

33 (2) The agency shall not disburse any funds appropriated  
34 under this act to any recipient without first: (a) making an  
35 individualized determination that the reimbursement sought is, in  
36 the agency's independent judgment, for necessary expenditures  
37 incurred due to the public health emergency with respect to COVID-  
38 19 as provided under Section 601(d) of the federal Social Security  
39 Act as added by Section 5001 of the federal Coronavirus Aid,  
40 Relief, and Economic Security (CARES) Act and its implementing  
41 guidelines, guidance, rules, regulations and/or other criteria, as  
42 may be amended or supplemented from time to time, by the United  
43 States Department of the Treasury; and (b) determining that the  
44 recipient has not received and will not receive reimbursement for  
45 the expense in question from any source of funds, including



46 insurance proceeds, other than those funds provided under Section  
47 601 of the federal Social Security Act as added by Section 5001 of  
48 the CARES Act. In addition, the agency shall ensure that all  
49 funds appropriated under this act are disbursed in compliance with  
50 the Single Audit Act (31 USC Sections 7501-7507) and the related  
51 provisions of the Uniform Guidance, 2 CFR Section 200.303  
52 regarding internal controls, Sections 200.330 through 200.332  
53 regarding subrecipient monitoring and management, and subpart F  
54 regarding audit requirements.

55       **SECTION 5.** (1) As a condition of receiving and expending  
56 the funds appropriated to the agency under this act, the agency  
57 shall certify to the Department of Finance and Administration that  
58 each expenditure of the funds appropriated to the agency under  
59 this act is 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.

64       (2) If the Office of Inspector General of the United States  
65 Department of the Treasury, or the Office of Inspector General of  
66 any other federal agency having oversight over the use of monies  
67 from the Coronavirus Relief Fund established by the CARES Act (a)  
68 determines that the agency or recipient has expended or otherwise  
69 used any of the funds appropriated to the agency under this act  
70 for any purpose that is not in compliance with the guidelines,



71 guidance, rules, regulations and/or other criteria, as may be  
72 amended from time to time, of the United States Department of the  
73 Treasury regarding the use of monies from the Coronavirus Relief  
74 Fund established by the CARES Act, and (b) the State of  
75 Mississippi is required to repay the federal government for any of  
76 those funds that the Office of the Inspector General determined  
77 were expended or otherwise used improperly by the agency or  
78 recipient, then the agency or recipient that expended or otherwise  
79 used those funds improperly shall be required to pay the amount of  
80 those funds to the State of Mississippi for repayment to the  
81 federal government.

82       **SECTION 6.** The money herein appropriated shall be paid by  
83 the State Treasurer out of any money in the State Treasury to the  
84 credit of the proper fund or funds as set forth in this act, not  
85 otherwise appropriated, upon warrants issued by the State Fiscal  
86 Officer; and the State Fiscal Officer shall issue his warrants  
87 upon requisitions signed by the proper person, officer or  
88 officers, in the manner provided by law.

89       **SECTION 7.** This act shall take effect and be in force from  
90 and after its passage.

