

## House Amendments to Senate Bill No. 3047

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

### AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

21           **SECTION 1.** There is established the Mississippi County and  
22 Municipality Emergency Relief Program, which shall be administered  
23 by the Mississippi Emergency Management Agency for the purpose of  
24 reimbursing counties and municipalities for eligible expenditures  
25 incurred in response to the COVID-19 pandemic.

26           **SECTION 2.** For purposes of this act, the following words  
27 shall have the meanings ascribed herein unless the context  
28 otherwise requires:

29                   (a) "Program" means the Mississippi County and  
30 Municipality Emergency Relief Program established in this act.

31                   (b) "Agency" means the Mississippi Emergency Management  
32 Agency.

33                   (c) "County" means any county within the state.

34                   (d) "Municipality" means any municipality within the  
35 state.

36                   (e) "COVID-19" means the Coronavirus Disease 2019.

37 (f) "CARES Act" means the federal Coronavirus Aid,  
38 Relief, and Economic Security (CARES) Act.

39 (g) "Coronavirus Relief Fund" means the fund created by  
40 the CARES Act.

41 (h) "Eligible expenditure" means a cost incurred that  
42 is reimbursable from funds received from the Coronavirus Relief  
43 Fund under the guidance and guidelines of the United States  
44 Department of the Treasury, including, but not limited to:

45 (i) Medical expenses such as:

46 1. COVID-19-related expenses of public  
47 hospitals, clinics, and similar facilities.

48 2. Expenses of establishing temporary public  
49 medical facilities and other measures to increase COVID-19  
50 treatment capacity, including related construction costs.

51 3. Costs of providing COVID-19 testing,  
52 including serological testing.

53 4. Emergency medical response expenses,  
54 including emergency medical transportation, related to COVID-19.

55 (ii) Public health expenses such as:

56 1. Expenses for communication and enforcement  
57 by territorial, local, and tribal governments of public health  
58 orders related to COVID-19.

59 2. Expenses for acquisition and distribution  
60 of medical and protective supplies, including sanitizing products  
61 and personal protective equipment, for medical personnel, police  
62 officers, social workers, child protection services, and child

63 welfare officers, direct service providers for older adults and  
64 individuals with disabilities in community settings, and other  
65 public health or safety workers in connection with the COVID-19  
66 public health emergency.

67           3. Expenses for disinfection of public areas  
68 and other facilities, e.g., nursing homes, in response to the  
69 COVID-19 public health emergency.

70           4. Expenses for technical assistance to local  
71 authorities or other entities on mitigation of COVID-19-related  
72 threats to public health and safety.

73           5. Expenses for public safety measures  
74 undertaken in response to COVID-19.

75           6. Expenses for quarantining individuals.

76           (iii) Payroll expenses for public safety, public  
77 health, health care, human services, and similar employees whose  
78 services are substantially dedicated to mitigating or responding  
79 to the COVID-19 public health emergency.

80           (iv) Expenses of actions to facilitate compliance  
81 with COVID-19-related public health measures, such as:

82           1. Expenses for food delivery to residents,  
83 including, for example, senior citizens and other vulnerable  
84 populations, to enable compliance with COVID-19 public health  
85 precautions.

86           2. Expenses to improve telework capabilities  
87 for public employees to enable compliance with COVID-19 public  
88 health precautions.

89                   3. Expenses of providing paid sick and paid  
90 family and medical leave to public employees to enable compliance  
91 with COVID-19 public health precautions.

92                   4. COVID-19-related expenses of maintaining  
93 state prisons and county jails, including as it relates to  
94 sanitation and improvement of social distancing measures, to  
95 enable compliance with COVID-19 public health precautions.

96                   5. Expenses for care for homeless populations  
97 provided to mitigate COVID-19 effects and enable compliance with  
98 COVID-19 public health precautions.

99                   (v) Expenses associated with the provision of  
100 economic support in connection with the COVID-19 public health  
101 emergency, such as:

102                   1. Expenditures related to a state,  
103 territorial, local, or tribal government payroll support program.

104                   2. Unemployment insurance costs related to  
105 the COVID-19 public health emergency if such costs will not be  
106 reimbursed by the federal government pursuant to the CARES Act or  
107 otherwise.

108                   (vi) Any other COVID-19-related expenses  
109 reasonably necessary to the function of government that satisfy  
110 the Coronavirus Relief Fund's eligibility criteria.

111                   "Eligible expenditure" does not include expenses for the  
112 state share of Medicaid, damages covered by insurance, payroll or  
113 benefits expenses for employees whose work duties are not  
114 substantially dedicated to mitigating or responding to the

115 COVID-19 public health emergency, expenses that have been or will  
116 be reimbursed under any federal program, such as the reimbursement  
117 by the federal government pursuant to the CARES Act of  
118 contributions by states to state unemployment funds, reimbursement  
119 to donors for donated items or services, workforce bonuses other  
120 than hazard pay or overtime, severance pay, legal settlements or  
121 any other expenditure determined to be ineligible by the agency.

122 **SECTION 3.** (1) The agency shall:

123 (a) Promulgate regulations and develop procedures to  
124 govern the administration of this program, including a  
125 reimbursement process with a written form for each county or  
126 municipality to submit eligible expenditures to the agency and  
127 receive reimbursement from the agency;

128 (b) Inform each county and municipality of its portion  
129 of the funds set aside under Section 5 of this act;

130 (c) Inform each county and municipality of the  
131 requirements for reimbursement under the program, including the  
132 definition of an eligible expenditure under Section 2(h) of this  
133 act;

134 (d) Begin making initial disbursements to the counties  
135 and municipalities no later than August 15, 2020, for applicable,  
136 submitted eligible expenditures; and

137 (e) Continue to accept and reimburse rolling  
138 applications after August 15, 2020.

139           (2) The agency may retain up to Two Hundred Thousand Dollars  
140 (\$200,000.00) of funds available under this act to administer this  
141 program.

142           **SECTION 4.** To be eligible under this grant program, a county  
143 or municipality shall submit:

144                   (a) A Request for Public Assistance (RPA) to the  
145 agency, detailing each eligible expenditure;

146                   (b) The original, itemized receipts and/or invoices of  
147 purchases and services paid by the county or municipality or the  
148 substantiated equivalent thereof as determined by the agency;

149                   (c) Documentation of any funds received from any source  
150 to reimburse COVID-19-related expenses; and

151                   (d) A specific job description of and rationale for any  
152 work performed by an employee who received hazard pay.

153           **SECTION 5.** Subject to appropriations by the Legislature each  
154 county or municipality shall have set aside a pro rata share of  
155 the monies in the funds for reimbursement of qualified  
156 expenditures according to the population of the county or  
157 municipality as listed in the 2010 U.S. Census.

158           **SECTION 6.** (1) Funds appropriated for purposes of this act  
159 shall be deposited into COVID-19 Fund (Fund Number 5820200000) and  
160 the agency shall create separate internal order numbers for county  
161 emergency relief assistance funds, from which the agency shall  
162 disburse the funds to counties as authorized by this act as well  
163 as the municipality emergency relief assistance funds, from which

164 the agency shall disburse the funds to municipalities authorized  
165 by this act.

166 (2) All monies shall be disbursed from the COVID-19 Fund  
167 described in subsection (1) of this section in compliance with the  
168 guidelines, guidance, rules, regulations and/or other criteria, as  
169 may be amended from time to time, of the United States Department  
170 of the Treasury regarding the use of monies from the Coronavirus  
171 Relief Fund established by the CARES Act. If on November 30,  
172 2020, there are unobligated monies in the COVID-19 Fund described  
173 in subsection (1) of this section, including any undisbursed  
174 portion of a county's or municipality's pro-rata share, the  
175 Governor shall have the discretion to transfer monies to another  
176 state agency to be used for eligible expenditures pursuant to the  
177 CARES Act.

178 (3) The use of funds allocated under this program shall be  
179 subject to audit by the United States Department of the Treasury's  
180 Office of Inspector General and the Mississippi Office of the  
181 State Auditor. Each county or municipality, or other entity or  
182 person receiving funds under this program, found to be fully or  
183 partially noncompliant with the requirements in this act, shall  
184 return to the state all or a portion of the funds received.

185 **SECTION 7.** The agency shall report on the utilization of the  
186 program to the Chair of the County Affairs and Municipalities  
187 Committees of the Senate and the House of Representatives, the  
188 Lieutenant Governor, the Speaker of the House and the Governor by  
189 September 1, 2020. At a minimum, the report shall contain:

190 (a) The name of each participating county and  
191 municipality;

192 (b) The total amount of reimbursement requested by each  
193 county and municipality; and

194 (c) The total amount of reimbursement received by each  
195 county and municipality.

196 **SECTION 8.** If any section, paragraph, sentence, clause,  
197 phrase, or any part of this act is declared to be in conflict with  
198 federal law, or if for any reason is declared to be invalid or of  
199 no effect, the remaining sections, paragraphs, sentences, clauses,  
200 phrases or parts thereof shall be in no matter affected thereby  
201 but shall remain in full force and effect.

202 **SECTION 9.** This act shall take effect and be in force from  
203 and after its passage.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO ESTABLISH THE MISSISSIPPI COUNTY AND MUNICIPALITY  
2 EMERGENCY RELIEF PROGRAM WHICH SHALL BE ADMINISTERED BY THE  
3 MISSISSIPPI EMERGENCY MANAGEMENT AGENCY TO REIMBURSE COUNTIES AND  
4 MUNICIPALITIES FOR ELIGIBLE EXPENDITURES INCURRED IN RESPONSE TO  
5 THE COVID-19 PANDEMIC; TO DEFINE TERMS; TO DEFINE THE TERM  
6 "ELIGIBLE EXPENDITURE" ACCORDING TO THE UNITED STATES TREASURY  
7 GUIDELINES; TO REQUIRE THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY  
8 TO PROMULGATE REGULATIONS AND DEVELOP PROCEDURES TO GOVERN THE  
9 ADMINISTRATION OF THE PROGRAM, INCLUDING A REIMBURSEMENT PROCESS;  
10 TO PROVIDE THAT THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY MAY  
11 RETAIN A CERTAIN AMOUNT OF FUNDS TO ADMINISTER THE PROGRAM; TO  
12 REQUIRE PARTICIPATING COUNTIES AND MUNICIPALITIES TO SUBMIT A  
13 CERTIFIED APPLICATION AND AN ITEMIZED RECEIPT AND/OR INVOICE IN  
14 ORDER TO BE REIMBURSED; TO DESCRIBE THE DISTRIBUTION OF FUNDS TO  
15 COUNTIES AND MUNICIPALITIES; TO PROVIDE THAT THE MISSISSIPPI  
16 EMERGENCY MANAGEMENT AGENCY SHALL DISBURSE THE FUNDS TO COUNTIES  
17 AND MUNICIPALITIES AS AUTHORIZED BY THIS ACT FROM THE COVID-19



18 FUND (FUND NUMBER 5820200000); TO PROVIDE THAT THE PROVISIONS OF  
19 THIS ACT ARE SEVERABLE; AND FOR RELATED PURPOSES.

HR26\SB3047A.J

Andrew Ketchings  
Clerk of the House of Representatives