

By: Representatives Gunn, Miles, Lancaster,
Arnold, Turner

To: Appropriations

HOUSE BILL NO. 778

1 AN ACT TO MAKE AN ADDITIONAL APPROPRIATION FROM THE LAW
2 ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND
3 TO THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY; TO PROVIDE THAT
4 SUCH FUNDS MAY ONLY BE SPENT ON THE PAYMENT OF DEATH BENEFITS FOR
5 WHICH THE CAUSE OF DEATH IS A DEATH COVERED UNDER THE SAFEGUARDING
6 AMERICA'S FIRST RESPONDERS ACT OF 2020; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** In addition to all other sums appropriated to the
9 department, the following sum, or so much of it as may be
10 necessary, is appropriated out of any money in the Law Enforcement
11 Officers and Fire Fighters Death Benefits Trust Fund not otherwise
12 appropriated, to the Mississippi Department of Public Safety for
13 the purposes described in Section 45-2-1, for the period beginning
14 January 1, 2020, and ending June 30, 2022.....\$5,000,000.00.

15 **SECTION 2.** The funds appropriated under Section 1 of this
16 act may only be spent on the payment of death benefits for which
17 the cause of death is a death covered under the Safeguarding
18 America's First Responders Act of 2020.



19 **SECTION 3.** (1) As used in this section and Section 4 of
20 this act, the term "department" means the Department of Public
21 Safety.

22 (2) The department shall not disburse any funds appropriated
23 under this act to any recipient without first: (a) making an
24 individualized determination that the reimbursement sought is, in
25 the department's independent judgment, for necessary expenditures
26 eligible under Section 602 of the federal Social Security Act as
27 added by Section 9901 of the federal American Rescue Plan Act of
28 2021 (ARPA) and its implementing guidelines, guidance, rules,
29 regulations and/or other criteria, as may be amended or
30 supplemented from time to time, by the United States Department of
31 the Treasury; and (b) determining that the recipient has not
32 received and will not receive reimbursement for the expense in
33 question from any source of funds, including insurance proceeds,
34 other than those funds provided under Section 602 of the federal
35 Social Security Act as added by Section 9901 of ARPA. In
36 addition, the department shall ensure that all funds appropriated
37 under this act are disbursed in compliance with the Single Audit
38 Act (31 USC Sections 7501-7507) and the related provisions of the
39 Uniform Guidance, 2 CFR Section 200.303 regarding internal
40 controls, Sections 200.330 through 200.332 regarding sub-recipient
41 monitoring and management, and subpart F regarding audit
42 requirements.



43 **SECTION 4.** (1) As a condition of receiving and expending
44 the funds appropriated to the department under this act, the
45 department shall certify to the Department of Finance and
46 Administration that each expenditure of the funds appropriated to
47 the department under this act complies with the guidelines,
48 guidance, rules, regulations and/or other criteria, as may be
49 amended from time to time, of the United States Department of the
50 Treasury regarding the use of monies from the Coronavirus State
51 Fiscal Recovery Fund established by the American Rescue Plan Act
52 of 2021.

53 (2) If the Office of Inspector General of the United States
54 Department of the Treasury, or the Office of Inspector General of
55 any other federal agency having oversight over the use of monies
56 from the Coronavirus State Fiscal Recovery Fund established by the
57 American Rescue Plan Act of 2021 (a) determines that the
58 department or recipient has expended or otherwise used any of the
59 funds appropriated to the department under this act for any
60 purpose that is not in compliance with the guidelines, guidance,
61 rules, regulations and/or other criteria, as may be amended from
62 time to time, of the United States Department of the Treasury
63 regarding the use of monies from the Coronavirus State Fiscal
64 Recovery Fund established by the American Rescue Plan Act of 2021,
65 and (b) the State of Mississippi is required to repay the federal
66 government for any of those funds that the Office of the Inspector
67 General determined were expended or otherwise used improperly by



68 the department or recipient, then the department or recipient that
69 expended or otherwise used those funds improperly shall be
70 required to pay the amount of those funds to the State of
71 Mississippi for repayment to the federal government.

72 **SECTION 5.** This act shall take effect and be in force from
73 and after its passage.

