

By: Representative Read

To: Appropriations

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1427

1 AN ACT TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER FUNDS
2 OUT OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE SPECIAL
3 FUND CREATED BY THIS ACT; TO CREATE THE "MISSISSIPPI LAW
4 ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY FUND" AS A SPECIAL FUND
5 IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF
6 PUBLIC SAFETY FOR THE PURPOSE OF PROVIDING FUNDS TO LAW
7 ENFORCEMENT OFFICERS AND FIRE FIGHTERS AS PREMIUM PAY FOR THEIR
8 EFFORTS DURING THE COVID-19; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** The federal COVID-19 public health emergency
11 continues to create significant exposure and risk to law
12 enforcement officers and fire fighters in the State of
13 Mississippi. American Rescue Plan Act funds are specifically
14 targeted toward assisting with premium pay for such public safety
15 workers. The funds provided in this act are necessary
16 expenditures related to COVID-19, the purpose of which is to
17 provide law enforcement officers and fire fighters premium pay for
18 their heightened risk during the ongoing federal COVID-19 public
19 health emergency.

20 **SECTION 2.** Upon the effective date of this act, the State
21 Fiscal Officer shall transfer the sum of Fifteen Million Dollars



22 (\$15,000,000.00) from the Coronavirus State Fiscal Recovery Fund
23 to the Mississippi Law Enforcement and Fire Fighters Premium Pay
24 Fund created by Section 3 of this act.

25 **SECTION 3.** (1) There is created in the State Treasury a
26 special fund to be designated as the "Mississippi Law Enforcement
27 and Fire Fighters Premium Pay Fund," which shall consist of funds
28 made available by the Legislature in any manner and funds from any
29 other source designated for deposit into such fund. The fund
30 shall be maintained by the State Treasurer as a separate and
31 special fund, separate and apart from the General Fund of the
32 state. Unexpended amounts remaining in the fund at the end of a
33 fiscal year shall not lapse into the State General Fund, and any
34 investment earnings or interest earned on amounts in the fund
35 shall be deposited to the credit of the fund. Monies in the fund
36 shall be used by the Department of Public Safety, upon
37 appropriation by the Legislature, for the purposes provided in
38 this section. Monies in the fund shall be disbursed in compliance
39 with the guidelines, guidance, rules, regulations and/or other
40 criteria, as may be amended from time to time, of the United
41 States Department of the Treasury regarding the use of monies from
42 the American Rescue Plan Act. Monies in the fund shall be
43 disbursed by the Department of Public Safety to provide premium
44 pay to certain law enforcement officers and fire fighters in the
45 State of Mississippi.



46 (2) The Department of Public Safety shall distribute the
47 monies in the special fund in accordance with the following:

48 (a) One Thousand Dollars (\$1,000.00) of premium pay
49 shall be paid to each eligible individual.

50 (b) Eligible individuals are all certified, full-time
51 law enforcement officers and certified, full-time fire fighters
52 serving in the State of Mississippi on the effective date of this
53 act, except those excluded under paragraph (c) of this subsection.

54 (c) Any law enforcement officer who received hazard pay
55 from the Governor's discretionary funds authorized by the
56 Legislature from the federal Coronavirus Aid, Relief and Economic
57 Security Act is not eligible to receive monies under this act.

58 (d) The department also shall distribute monies in the
59 special fund to counties, municipalities and other governmental
60 entities that, before the effective date of this act, paid premium
61 pay to law enforcement officers and firefighters employed by them
62 from funds received under the federal American Rescue Plan Act, to
63 reimburse those governmental entities for not more than One
64 Thousand Dollars (\$1,000.00) of the amount of premium pay that the
65 governmental entity paid to each recipient.

66 (3) The Department of Finance and Administration and the
67 Department of Audit shall have all powers necessary for the
68 implementation of this section.

69 (4) 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 State and Local Fiscal Recovery Funds
73 established by the American Rescue Plan Act (a) determines that
74 the Department of Public Safety or recipient has expended or
75 otherwise used any of the funds appropriated to the Department of
76 Public Safety under this act for any purpose that is not in
77 compliance with the guidelines, guidance, rules, regulations
78 and/or other criteria, as may be amended from time to time, by the
79 United States Department of the Treasury regarding the use of
80 monies from the Coronavirus State and Local Fiscal Recovery Funds
81 established by the American Rescue Plan Act, and (b) the State of
82 Mississippi is required to repay the federal government for any of
83 those funds that the Office of the Inspector General determined
84 were expended or otherwise used improperly by the Department of
85 Public Safety or recipient, then the Department of Safety or
86 recipient, as the case may be, that expended or otherwise used
87 those funds improperly shall be required to pay the amount of
88 those funds to the State of Mississippi for repayment to the
89 federal government.

90 **SECTION 4.** This act shall take effect and be in force from
91 and after its passage.

