HOUSE BILL NO. 1427

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

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

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

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

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

SECTION 3. (1) There is created in the State Treasury a special fund to be designated as the "Mississippi Law Enforcement and Fire Fighters Premium Pay Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Public Safety, upon appropriation by the Legislature, for the purposes provided in this section. Monies in the fund shall be disbursed 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 American Rescue Plan Act. Monies in the fund shall be disbursed by the Department of Public Safety to provide premium pay to certain law enforcement officers and fire fighters in the State of Mississippi.
(2) The Department of Public Safety shall distribute the monies in the special fund in accordance with the following:

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

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

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

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

(4) 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 State and Local Fiscal Recovery Funds established by the American Rescue Plan Act (a) determines that the Department of Public Safety or recipient has expended or otherwise used any of the funds appropriated to the Department of Public Safety 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, by the...
United States Department of the Treasury regarding the use of monies from the Coronavirus State and Local Fiscal Recovery Funds established by the American Rescue Plan 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 Department of Public Safety or recipient, then the Department of Safety 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 4. This act shall take effect and be in force from and after its passage.