

By: Representative Read

To: Appropriations

HOUSE BILL NO. 1427  
(As Passed the House)

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 Twenty-eight Million



22 Dollars (\$28,000,000.00) from the Coronavirus State Fiscal  
23 Recovery Fund to the Mississippi Law Enforcement and Fire Fighters  
24 Premium Pay 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 and part-time law enforcement officers and certified, full-time  
52 and part-time fire fighters who are serving in the State of  
53 Mississippi on the effective date of this act, except those  
54 excluded under paragraph (c) of this subsection, and all volunteer  
55 fire fighters registered with the State of Mississippi or a  
56 political subdivision thereof on a volunteer fire fighting status  
57 who have served as a fire fighter in the State of Mississippi from  
58 January 1, 2020, through the effective date of this act. The  
59 Commissioner of Insurance shall prescribe the criteria for  
60 volunteer fire fighters to be an eligible individual under this  
61 paragraph. If a person is an eligible individual in more than one  
62 (1) position covered under this paragraph, that person will only  
63 be eligible for one (1) payment of premium pay under paragraph (a)  
64 of this subsection.

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

69 (d) The department also shall distribute monies in the  
70 special fund to counties, municipalities and other governmental



71 entities that, before the effective date of this act, paid premium  
72 pay to law enforcement officers and firefighters employed by them  
73 from funds received under the federal American Rescue Plan Act, to  
74 reimburse those governmental entities for not more than One  
75 Thousand Dollars (\$1,000.00) of the amount of premium pay that the  
76 governmental entity paid to each recipient.

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

80 (4) If the Office of Inspector General of the United States  
81 Department of the Treasury, or the Office of Inspector General of  
82 any other federal agency having oversight over the use of monies  
83 from the Coronavirus State and Local Fiscal Recovery Funds  
84 established by the American Rescue Plan Act (a) determines that  
85 the Department of Public Safety or recipient has expended or  
86 otherwise used any of the funds appropriated to the Department of  
87 Public Safety under this act for any purpose that is not in  
88 compliance with the guidelines, guidance, rules, regulations  
89 and/or other criteria, as may be amended from time to time, by the  
90 United States Department of the Treasury regarding the use of  
91 monies from the Coronavirus State and Local Fiscal Recovery Funds  
92 established by the American Rescue Plan Act, and (b) the State of  
93 Mississippi is required to repay the federal government for any of  
94 those funds that the Office of the Inspector General determined  
95 were expended or otherwise used improperly by the Department of



96 Public Safety or recipient, then the Department of Safety or  
97 recipient, as the case may be, that expended or otherwise used  
98 those funds improperly shall be required to pay the amount of  
99 those funds to the State of Mississippi for repayment to the  
100 federal government.

101 **SECTION 4.** This act shall take effect and be in force from  
102 and after July 1, 2022, and shall stand repealed from and after  
103 June 30, 2022.

