MISSISSIPPI LEGISLATURE
REGULAR SESSION 2022
By: Representative Read
To: Appropriations

HOUSE BILL NO. 1427
(As Passed the House)

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 Twenty-eight Million

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Dollars ($28,000,000.00) 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 and part-time law enforcement officers and certified, full-time and part-time fire fighters who are serving in the State of Mississippi on the effective date of this act, except those excluded under paragraph (c) of this subsection, and all volunteer fire fighters registered with the State of Mississippi or a political subdivision thereof on a volunteer fire fighting status who have served as a fire fighter in the State of Mississippi from January 1, 2020, through the effective date of this act. The Commissioner of Insurance shall prescribe the criteria for volunteer fire fighters to be an eligible individual under this paragraph. If a person is an eligible individual in more than one (1) position covered under this paragraph, that person will only be eligible for one (1) payment of premium pay under paragraph (a) 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.

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

(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 July 1, 2022, and shall stand repealed from and after June 30, 2022.