

By: Representatives Read, Arnold, Turner,  
Hale, Stamps

To: Appropriations

HOUSE BILL NO. 1538  
(As Passed the House)

1 AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF  
2 HEALTH FOR THE PURPOSE OF FUNDING THE ARPA DRINKING WATER  
3 INFRASTRUCTURE GRANT PROGRAM ESTABLISHED UNDER HOUSE BILL NO.  
4 1425, 2022 REGULAR SESSION, AND THE ARPA RURAL WATER ASSOCIATIONS  
5 INFRASTRUCTURE GRANT PROGRAM ESTABLISHED UNDER HOUSE BILL NO.  
6 1421, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

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

8 **SECTION 1.** The following sum, or so much of it as may be  
9 necessary, is appropriated out of any money in the ARPA Drinking  
10 Water Infrastructure Fund not otherwise appropriated, to the State  
11 Department of Health for the purpose of funding the ARPA Drinking  
12 Water Infrastructure Grant Program established under House Bill  
13 No. 1425, 2022 Regular Session, for the fiscal year beginning July  
14 1, 2022, and ending June 30, 2023.....\$ 250,000,000.00.

15 **SECTION 2.** The following sum, or so much of it as may be  
16 necessary, is appropriated out of any money in the ARPA Rural  
17 Water Associations Infrastructure Fund not otherwise appropriated,  
18 to the State Department of Health for the purpose of funding the  
19 ARPA Rural Water Associations Infrastructure Grant Program  
20 established under House Bill No. 1421, 2022 Regular Session, for



21 the fiscal year beginning July 1, 2022, and ending June 30,  
22 2023.....\$ 200,000,000.00.

23 **SECTION 3.** (1) As used in this section and Section 4 of  
24 this act, the term "department" means the State Department of  
25 Health.

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



45 monitoring and management, and subpart F regarding audit  
46 requirements.

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

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



70 government for any of those funds that the Office of the Inspector  
71 General determined were expended or otherwise used improperly by  
72 the department or recipient, then the department or recipient that  
73 expended or otherwise used those funds improperly shall be  
74 required to pay the amount of those funds to the State of  
75 Mississippi for repayment to the federal government.

76         **SECTION 5.** The money appropriated by Section 1 of this act  
77 shall be paid by the State Treasurer out of any money in the ARPA  
78 Drinking Water Infrastructure Fund not otherwise appropriated, and  
79 the money appropriated by Section 2 of this act shall be paid by  
80 the State Treasurer out of any money in the ARPA Rural Water  
81 Associations Infrastructure Fund not otherwise appropriated, upon  
82 warrants issued by the State Fiscal Officer; and the State Fiscal  
83 Officer shall issue his or her warrants upon requisitions signed  
84 by the proper person, officer or officers in the manner provided  
85 by law.

86         **SECTION 6.** This act shall take effect and be in force from  
87 and after July 1, 2022, and shall stand repealed on June 30, 2022.

