Mississippi Legislature

Regular Session 2022

By: Representatives Read, Arnold, Turner, Hale, Shanks, Williams-Barnes, Stamps, Crawford, Johnson, Newman

To: Appropriations

House Bill No. 1542

An Act Making an Additional Appropriation to the Department of Public Safety for the Purpose of Providing Funds to Law Enforcement Officers and Firefighters as Premium Pay for Their Heightened Risk During the Ongoing Federal COVID-19 Public Health Emergency, as Provided in House Bill No. 1427, 2022 Regular Session, for the Fiscal Year 2022.

Be it enacted by the Legislature of the State of Mississippi:

Section 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Mississippi Law Enforcement and Fire Fighters Premium Pay Fund not otherwise appropriated, to the Department of Public Safety for the purpose of providing funds to law enforcement officers and firefighters as premium pay for their heightened risk during the ongoing federal COVID-19 public health emergency, and reimbursing counties and municipalities that have already paid premium pay to their law enforcement officers and firefighters as provided in House Bill No. 1427, 2022 Regular Session, for the period beginning July 1, 2021, and ending June 30, 2022......................$ 15,000,000.00.
SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Public Safety.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.
SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies 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 Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) 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 Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department 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, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, 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 or recipient, then the department or recipient 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. The money appropriated by this act shall be paid
by the State Treasurer out of any money in the Mississippi Law
Enforcement and Fire Fighters Premium Pay Fund not otherwise
appropriated, upon warrants issued by the State Fiscal Officer;
and the State Fiscal Officer shall issue his or her warrants upon
requisitions signed by the proper person, officer or officers in
the manner provided by law.

SECTION 5. This act shall take effect and be in force from
and after its passage.