

By: Representatives Read, Cockerham, Arnold, Beckett, Bennett, Bounds, Boyd, Busby, Clark, Clarke, Eure, Hines, Jackson, Turner, Watson, White, Young, Stamps To: Appropriations

HOUSE BILL NO. 1625 (As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING
2 SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT
3 DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF
4 DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2023.

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

6 SECTION 1. The following sum, or so much thereof as may be
7 necessary, is appropriated out of any money in the State General
8 Fund not otherwise appropriated, for the purpose of paying
9 salaries and travel expenses of district attorneys, assistant
10 district attorneys, criminal investigators, tort claims
11 assessments, and paying office expenses of district attorneys for
12 the fiscal year beginning July 1, 2022, and ending June 30, 2023..
13\$ 27,021,964.00.

14 SECTION 2. The following sum, or so much thereof as may be
15 necessary, is appropriated out of any money in the State
16 Prosecutor Compensation Fund, referred to in Section 99-19-73,
17 Mississippi Code of 1972, for the purpose of paying salaries of
18 assistant district attorneys of the state as authorized in Section



19 25-31-5(1) for the fiscal year beginning July 1, 2022, and ending
20 June 30, 2023.....\$ 811,633.00.

21 **SECTION 3.** None of the funds authorized in this section
22 shall be used to reimburse district attorneys or their staff for
23 taxable meals incurred within their geographical district.

24 **SECTION 4.** Of the funds appropriated herein, office expenses
25 of district attorneys as authorized by Section 25-31-8,
26 Mississippi Code of 1972, in the amount of One Million Two Hundred
27 Seventy-seven Thousand Dollars (\$1,277,000.00).

28 **SECTION 5.** Of the funds appropriated in Section 1, office
29 expenses and such funds for salaries shall be provided as
30 authorized in Section 25-3-35(6), Mississippi Code of 1972, to
31 fund the salary for one (1) full-time legal assistant in the Sixth
32 Circuit Court District as authorized in Section 25-31-5(2) (f),
33 Mississippi Code of 1972.

34 **SECTION 6.** It is the intention of the Legislature that the
35 district attorneys and assistant district attorneys of the state
36 shall maintain complete accounting and personnel records related
37 to the expenditure of all funds appropriated in this act and that
38 those records shall be in the same format and level of details as
39 maintained for Fiscal Year 2022. It is further the intention of
40 the Legislature that the budget requests for Fiscal Year 2024
41 shall be submitted to the Joint Legislative Budget Committee in a
42 format and level of detail comparable to the format and level of
43 detail provided during the Fiscal Year 2023 budget request process



44 for each agency and institution appropriated funds within the
45 provisions of this act.

46 **SECTION 7.** It is the intention of the Legislature that with
47 the funds provided herein, the district attorneys shall submit
48 their Five-Year Strategic Plan(s) as required in Section
49 27-103-129(1), Mississippi Code of 1972.

50 **SECTION 8.** (1) In addition to all other funds appropriated
51 herein, the following sum, or so much thereof as may be necessary,
52 is hereby appropriated out of any money in the State Treasury to
53 the credit of the Coronavirus State Fiscal Recovery Fund not
54 otherwise appropriated, to the credit of the District Attorney's
55 and Staff, for the fiscal year beginning July 1, 2022, and ending
56 June 30, 2023.....\$ 1,027,785.00

57 These funds are provided for the purpose of funding
58 additional salaries and office expenses of temporary legal
59 assistants and support personnel as authorized by Section
60 25-31-5(2)(g), Mississippi Code of 1972, necessary to respond to
61 the effects of the COVID-19 pandemic as allowable under Section
62 9901 of the American Rescue Plan Act of 2021 (ARPA) or any
63 guidance or regulation issued by the United States Department of
64 the Treasury in conformity therewith.

65 (2) None of the funds provided under this section shall be
66 used to pay employee premium payments.

67 (3) The agency shall not disburse any funds provided under
68 this section to any recipient without first: (a) making an



69 individualized determination that the reimbursement sought is, in
70 the agency's independent judgment, for necessary expenditures
71 eligible under Section 602 of the federal Social Security Act as
72 added by Section 9901 of the federal American Rescue Plan Act of
73 2021 (ARPA) and its implementing guidelines, guidance, rules,
74 regulations and/or other criteria, as may be amended or
75 supplemented from time to time, by the United States Department of
76 the Treasury; and (b) determining that the recipient has not
77 received and will not receive reimbursement for the expense in
78 question from any source of funds, including insurance proceeds,
79 other than those funds provided under Section 602 of the federal
80 Social Security Act as added by Section 9901 of ARPA. In
81 addition, the agency shall ensure that all funds provided under
82 this section are disbursed in compliance with the Single Audit Act
83 (31 USC Sections 7501-7507) and the related provisions of the
84 Uniform Guidance, 2 CFR Section 200.303 regarding internal
85 controls, Sections 200.330 through 200.332 regarding sub-recipient
86 monitoring and management, and subpart F regarding audit
87 requirements.

88 (4) As a condition of receiving and expending the funds
89 provided to the agency under this section, the agency shall
90 certify to the Department of Finance and Administration that each
91 expenditure of the funds provided to the agency under this section
92 complies with the guidelines, guidance, rules, regulations and/or
93 other criteria, as may be amended from time to time, of the United



94 States Department of the Treasury regarding the use of monies from
95 the Coronavirus State Fiscal Recovery Fund established by ARPA.

96 (5) If the Office of Inspector General of the United States
97 Department of the Treasury, or the Office of Inspector General of
98 any other federal agency having oversight over the use of monies
99 from the Coronavirus State Fiscal Recovery Fund established by
100 ARPA (a) determines that the agency or recipient has expended or
101 otherwise used any of the funds provided to the agency under this
102 section for any purpose that is not in compliance with the
103 guidelines, guidance, rules, regulations and/or other criteria, as
104 may be amended from time to time, of the United States Department
105 of the Treasury regarding the use of monies from the Coronavirus
106 State Fiscal Recovery Fund established by the ARPA, and (b) the
107 State of Mississippi is required to repay the federal government
108 for any of those funds that the Office of the Inspector General
109 determined were expended or otherwise used improperly by the
110 agency or recipient, then the agency or recipient that expended or
111 otherwise used those funds improperly shall be required to pay the
112 amount of those funds to the State of Mississippi for repayment to
113 the federal government.

114 **SECTION 9.** The money herein appropriated shall be paid by
115 the State Treasurer out of any money in the State Treasury to the
116 credit of the proper fund or funds as set forth in this act, upon
117 warrants issued by the State Fiscal Officer; and the State Fiscal



118 Officer shall issue his warrants upon requisitions signed by the
119 proper person, officer or officers, in the manner provided by law.

120 **SECTION 10.** This act shall take effect and be in force from
121 and after July 1, 2022.

