

By: Representatives Yates, Bell (65th),
Gibbs (72nd)

To: Appropriations

HOUSE BILL NO. 1640

1 AN ACT MAKING AN APPROPRIATION OF FUNDS IN THE CORONAVIRUS
2 STATE FISCAL RECOVERY FUND TO THE CAPITAL CITY WATER/SEWER
3 PROJECTS FUND CREATED IN HOUSE BILL NO. 1031, 2022 REGULAR
4 SESSION; MAKING AN APPROPRIATION FROM THE CAPITAL CITY WATER/SEWER
5 PROJECTS FUND TO THE CITY OF JACKSON FOR CERTAIN WATER/SEWER
6 INFRASTRUCTURE PROJECTS; AND REQUIRING THE CITY TO EXPEND NOT LESS
7 THAN 85% OF ITS FUNDS RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT
8 FOR WATER/SEWER INFRASTRUCTURE PROJECTS AS A CONDITION OF
9 RECEIVING THE FUNDS APPROPRIATED BY THIS ACT; FOR THE FISCAL YEAR
10 2023.

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

12 **SECTION 1.** The following sum, or so much of it as may be
13 necessary, is appropriated out of any money in the Coronavirus
14 State Fiscal Recovery Fund not otherwise appropriated, to the
15 Capital City Water/Sewer Projects Fund created in House Bill No.
16 1031, 2022 Regular Session, for the fiscal year beginning July 1,
17 2022, and ending June 30, 2023.....\$ 42,000,000.00.

18 **SECTION 2.** The following sum, or so much of it as may be
19 necessary, is appropriated out of any money in the Capital City
20 Water/Sewer Projects Fund created in House Bill No. 1031, 2022
21 Regular Session, to the City of Jackson, Mississippi, to be



22 expended as provided in Section 3 of this act, for the fiscal year
23 beginning July 1, 2022, and ending June 30, 2023.....
24\$ 42,000,000.00.

25 **SECTION 3.** (1) The funds appropriated by Section 2 of this
26 act shall be expended by the City of Jackson as follows:

27 (a) GIS-based hydraulic computer model of City of
28 Jackson's water distribution system..... \$ 4,000,000.00.

29 (b) Repairs to O.B. Curtis and JH Fewell Water
30 Treatment Plants.....\$ 20,000,000.00.

31 (c) Water distribution line
32 improvements.....\$ 12,000,000.00.

33 (d) Repairs to the following wastewater collection
34 lines: Phase 6A Meadowbrook to Hanging Moss and Phase 2B Town
35 Creek to Fairgrounds.....\$ 6,000,000.00.
36 TOTAL.....\$ 42,000,000.00.

37 (2) As a condition of receiving any of the funds
38 appropriated under Section 2 of this act, the City of Jackson must
39 expend for water/sewer infrastructure projects of the city not
40 less than eighty-five (85%) percent of the funds received by the
41 city directly from the United States Department of the Treasury
42 under the American Rescue Plan Act, as documented by the city to
43 the Department of Finance and Administration.

44 **SECTION 4.** (1) As used in this section and Section 5 of
45 this act, the term "city" means the City of Jackson, Mississippi.



46 (2) The city shall not disburse any funds appropriated under
47 this act to any recipient without first: (a) making an
48 individualized determination that the reimbursement sought is, in
49 the city's independent judgment, for necessary expenditures
50 eligible under Section 602 of the federal Social Security Act as
51 added by Section 9901 of the federal American Rescue Plan Act of
52 2021 (ARPA) and its implementing guidelines, guidance, rules,
53 regulations and/or other criteria, as may be amended or
54 supplemented from time to time, by the United States Department of
55 the Treasury; and (b) determining that the recipient has not
56 received and will not receive reimbursement for the expense in
57 question from any source of funds, including insurance proceeds,
58 other than those funds provided under Section 602 of the federal
59 Social Security Act as added by Section 9901 of ARPA. In
60 addition, the city shall ensure that all funds appropriated under
61 this act are disbursed in compliance with the Single Audit Act (31
62 USC Sections 7501-7507) and the related provisions of the Uniform
63 Guidance, 2 CFR Section 200.303 regarding internal controls,
64 Sections 200.330 through 200.332 regarding sub-recipient
65 monitoring and management, and subpart F regarding audit
66 requirements.

67 **SECTION 4.** (1) As a condition of receiving and expending
68 the funds appropriated to the city under this act, the city shall
69 certify to the Department of Finance and Administration that each
70 expenditure of the funds appropriated to the city under this act



71 complies with the guidelines, guidance, rules, regulations and/or
72 other criteria, as may be amended from time to time, of the United
73 States Department of the Treasury regarding the use of monies from
74 the Coronavirus State Fiscal Recovery Fund established by ARPA.

75 (2) If the Office of Inspector General of the United States
76 Department of the Treasury, or the Office of Inspector General of
77 any other federal agency having oversight over the use of monies
78 from the Coronavirus State Fiscal Recovery Fund established by
79 ARPA (a) determines that the city or recipient has expended or
80 otherwise used any of the funds appropriated to the city under
81 this act for any purpose that is not in compliance with the
82 guidelines, guidance, rules, regulations and/or other criteria, as
83 may be amended from time to time, of the United States Department
84 of the Treasury regarding the use of monies from the Coronavirus
85 State Fiscal Recovery Fund established by ARPA, and (b) the State
86 of Mississippi is required to repay the federal government for any
87 of those funds that the Office of the Inspector General determined
88 were expended or otherwise used improperly by the city or
89 recipient, then the city or recipient that expended or otherwise
90 used those funds improperly shall be required to pay the amount of
91 those funds to the State of Mississippi for repayment to the
92 federal government.

93 **SECTION 5.** The money appropriated by Section 1 of this act
94 shall be paid by the State Treasurer out of any money in the
95 Coronavirus State Fiscal Recovery Fund not otherwise appropriated,



96 and the money appropriated by Section 2 of this act shall be paid
97 by the State Treasurer out of any money in the Capital City
98 Water/Sewer Projects Fund, upon warrants issued by the State
99 Fiscal Officer; and the State Fiscal Officer shall issue his or
100 her warrants upon requisitions signed by the proper person,
101 officer or officers in the manner provided by law.

102 **SECTION 6.** This act shall take effect and be in force from
103 and after July 1, 2022.

