

By: Senator(s) Parker

To: Economic and Workforce
Development; Appropriations

SENATE BILL NO. 2721

1 AN ACT TO CREATE THE AMERICAN RESCUE PLAN ACT (ARPA)
2 WORKFORCE DEVELOPMENT PROGRAM; TO STATE LEGISLATIVE FINDINGS AND
3 INTENT; TO PROVIDE THAT THE PROGRAM SHALL BE DIRECTED BY THE
4 OFFICE OF WORKFORCE DEVELOPMENT FOR THE PURPOSE OF PROVIDING
5 EDUCATION AND TRAINING TO CITIZENS SEEKING EMPLOYMENT IN
6 HIGH-DEMAND, HIGH-WAGE INDUSTRIES IN THE STATE WHICH WERE IMPACTED
7 BY THE DISRUPTION TO THE ECONOMY AND WORKFORCE CAUSED BY COVID-19;
8 TO PROVIDE THAT, SUBJECT TO APPROPRIATION BY THE LEGISLATURE,
9 ALLOCATIONS TO RECIPIENTS SHALL BE AWARDED BY THE OFFICE THROUGH
10 AN APPLICATION PROCESS; TO SPECIFY REQUIREMENTS FOR APPLICANTS; TO
11 SPECIFY THE RESPONSIBILITIES OF THE OFFICE OF WORKFORCE
12 DEVELOPMENT IN ADMINISTERING THE PROGRAM; TO CREATE AS A SPECIAL
13 FUND IN THE STATE TREASURY THE AMERICAN RESCUE PLAN ACT WORKFORCE
14 DEVELOPMENT PROGRAM FUND, FROM WHICH THE GRANTS AUTHORIZED BY THIS
15 ACT SHALL BE DISBURSED BY THE OFFICE; TO REQUIRE THE OFFICE TO
16 CERTIFY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION THAT EACH
17 EXPENDITURE OF APPROPRIATED FUNDS UNDER THIS ACT IS IN COMPLIANCE
18 WITH THE UNITED STATES TREASURY GUIDELINES; TO SPECIFY THAT THE
19 USE OF FUNDS ALLOCATED UNDER THE GRANT PROGRAM SHALL BE SUBJECT TO
20 FEDERAL AND STATE AUDIT, AND THAT RECIPIENTS FOUND TO BE FULLY OR
21 PARTIALLY NONCOMPLIANT WITH THE REQUIREMENTS OF THIS ACT SHALL
22 RETURN TO THE STATE ALL OR A PORTION OF THE FUNDS RECEIVED; TO
23 REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO PROVIDE A
24 COMPREHENSIVE REPORT ON THE USE AND EFFECTIVENESS OF FUNDS
25 DISTRIBUTED UNDER THE GRANT PROGRAM, TO THE GOVERNOR AND
26 LEGISLATURE BY OCTOBER 1 EACH YEAR OF THE EXISTENCE OF THE
27 PROGRAM; AND FOR RELATED PURPOSES.

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

29 **SECTION 1.** This act shall be known and may be cited as the
30 "American Rescue Plan Act (ARPA) Workforce Development Program."



31 SECTION 2. (1) The Mississippi Legislature finds the
32 following:

33 (a) The public health crisis related to COVID-19
34 resulted in a temporary or permanent closure of some businesses in
35 the state and a general disruption in the Mississippi economy and
36 workforce;

37 (b) Shortages exist in a number of high-wage,
38 high-demand Mississippi industries, as determined and documented
39 by the Office of Workforce Development, including, but not limited
40 to, healthcare facilities, particularly in the nursing and allied
41 health fields;

42 (c) Certain sectors of the citizen population were
43 impacted more severely by the economic actions taken to mitigate
44 the spread of COVID-19, including underemployed individuals,
45 individuals currently underrepresented in the workforce, and
46 workers with limited education, skills and training; and

47 (d) The availability of unprecedented federal funding
48 to mitigate the impact of COVID-19 on the workforce and economy
49 has created a unique opportunity for the Office of Workforce
50 Development, working with community colleges, institutions of
51 higher learning and employers, to provide education and
52 training to help Mississippians find employment in high-demand
53 fields.

54 (2) Therefore, the intent of the Mississippi Legislature is:



55 (a) To provide funding for outreach efforts to connect
56 citizens seeking employment with the education and training
57 required to obtain necessary skills for high-demand jobs in the
58 state;

59 (b) To provide funding for new and increased capacity
60 in existing workforce development and training programs, to
61 include any required equipment or supplies, at community colleges
62 and institutions of higher learning across the state;

63 (c) To provide funding to employers for on-the-job
64 training and wage assistance for high-skill, high-wage jobs;

65 (d) To provide funding to the Office of Workforce
66 Development to administer programs authorized by this act; and

67 (e) To gauge the effectiveness of these programs by
68 gathering data related to participation and wage and employment
69 outcomes in order to replicate successful efforts in future
70 workforce development programs.

71 **SECTION 3.** For purposes of this act, the following words
72 shall have the meanings ascribed herein unless the context
73 otherwise requires:

74 (a) "Grant program" means the workforce development and
75 training programs administered under this act using federal
76 COVID-19 relief funds.

77 (b) "Office" means the Office of Workforce Development
78 as established in Section 37-153-7.



79 (c) "Recipient" means a community college, institution
80 of higher learning, employer, institutional recipient or trainee
81 recipient of grant funding.

82 (d) "Trainee" means an individual receiving training or
83 other services through programs under this act with the goal of
84 becoming employed in a high-wage, high-demand industry.

85 (e) "COVID-19" means the Coronavirus Disease 2019.

86 (f) "Federal COVID-19 Relief Funds" means funds
87 allocated to the State of Mississippi from the Coronavirus State
88 Fiscal Recovery Fund in Section 9901 of the American Rescue Plan
89 Act of 2021 (Public Law No. 117-2).

90 (g) "High-wage, high-demand industry" means those
91 industries paying above Mississippi's median annual income and
92 prioritized by the office and the four (4) local workforce areas.

93 (h) "Eligible expenses" means a cost incurred by a
94 recipient, pursuant to this act, to include:

95 (i) Necessary equipment or other supplies;

96 (ii) Curricula or other academic or training
97 materials;

98 (iii) Remote learning or other classroom
99 technology;

100 (iv) Stipends for teaching staff or faculty for
101 workforce development programs;

102 (v) On-the-job training or wage assistance;



- 103 (vi) Trainee support, including tuition expenses
104 and childcare or transportation assistance;
105 (vii) Coaching or mentoring services;
106 (viii) Job placement services;
107 (ix) Apprenticeship programs; and
108 (x) Recruitment programs.

109 **SECTION 4.** (1) There is established the American Rescue
110 Plan Act Workforce Development Program which shall be directed by
111 the office for the purpose of providing education and training to
112 citizens seeking employment in high-wage, high-demand industries
113 in the state which were impacted by the disruption to the economy
114 and workforce caused by COVID-19.

115 (2) The Department of Employment Security shall serve as
116 fiscal agent in administering the funds.

117 (3) Subject to appropriation by the Legislature, allocations
118 to recipients shall be awarded by the office through an
119 application process, which shall require the applicant to provide:

120 (a) A detailed explanation of the program the applicant
121 intends to use awarded funds to create or expand, to include:

122 (i) A description of the high-wage, high-demand
123 field or workforce shortage area the program is intended to
124 address;

125 (ii) The number of trainees who will be served by
126 the program; and



127 (iii) The average wage rate for trainees receiving
128 employment after completing the program;

129 (b) A proposed budget on how awarded funds will be
130 expended, including a plan to consistently report expenditures to
131 the office throughout the funding commitment;

132 (c) A plan to provide data on participation and
133 outcomes of the program, including a plan to report outcomes to
134 the office throughout the funding commitment; and

135 (d) Other relevant information as determined
136 appropriate by the office.

137 (4) Applicants agreeing to commit a portion of their federal
138 COVID-19 relief funds, if they received federal COVID-19 relief
139 funds directly, or other state, federal or private funds as
140 supplemental matching funds to offset the total cost of the
141 approved program will be prioritized for approval.

142 **SECTION 5.** (1) The office shall:

143 (a) Inform each recipient of its portion of the funds
144 appropriated to the grant program;

145 (b) Develop regulations and procedures to govern the
146 administration of the grant program;

147 (c) Prioritize high-wage, high-skill industries,
148 including, but not limited to, jobs within the healthcare field;
149 and

150 (d) Coordinate with the Department of Employment
151 Security to share information to identify individuals who were



152 furloughed, unemployed, underemployed or otherwise displaced due
153 to COVID-19.

154 (2) The office may use a maximum of three percent (3%) of
155 funds allocated under this act for the administration of the grant
156 program, to the extent permissible under federal law.

157 **SECTION 6.** (1) (a) There is created a special fund in the
158 State Treasury, to be known as the "American Rescue Plan Act
159 Workforce Development Program Fund," from which the grants
160 authorized by this act shall be disbursed by the office. All
161 monies shall be disbursed from the fund in compliance with the
162 guidelines, guidance, rules, regulations and other criteria, as
163 may be amended from time to time, by the United States Department
164 of the Treasury regarding the use of monies from the American
165 Rescue Plan Act. If, on January, 1, 2026, there are unobligated
166 monies in the fund, including any investment earnings or interest
167 earned on amounts in the grant program fund, those monies shall
168 lapse into the Budget Contingency Fund for further appropriation
169 by the Legislature.

170 (b) If, on December 20, 2026, there are unexpended
171 American Rescue Plan Act monies remaining in the fund, those
172 monies shall lapse into the Budget Contingency Fund, to be
173 transferred by the State Fiscal Officer into the Unemployment
174 Compensation Fund on or before December 30, 2026.

175 (2) (a) The office shall certify to the Department of
176 Finance and Administration that each expenditure of appropriated



177 funds under this act is in compliance with the guidelines,
178 guidance, rules, regulations and other criteria, as may be amended
179 from time to time, of the United States Department of the Treasury
180 regarding the use of monies from the State Coronavirus State
181 Fiscal Recovery Fund in Section 9901 of the American Rescue Plan
182 Act of 2021 (Public Law No. 117-2).

183 (b) The use of funds allocated under the grant program
184 shall be subject to audit by the United States Department of the
185 Treasury's Office of Inspector General and the Mississippi Office
186 of the State Auditor. Each recipient of funds under the grant
187 program found to be fully or partially noncompliant with the
188 requirements of this act shall return to the state all or a
189 portion of the funds received.

190 **SECTION 7.** The office shall provide a comprehensive report
191 on the use and effectiveness of funds distributed under the grant
192 program, to include wage data and employment outcomes for
193 trainees, to the Governor, Lieutenant Governor, Speaker of the
194 House of Representatives, and Chairs of the Senate and House
195 Appropriations Committees, Chair of the Senate Economic and
196 Workforce Development Committee, and Chair of the House Workforce
197 Development Committee by October 1 each year of the existence of
198 the program.

199 **SECTION 8.** If any section, paragraph, sentence, clause,
200 phrase or part of this act is declared to be in conflict with
201 federal law, or if for any reason is declared to be invalid or of



202 no effect, the remaining sections, paragraphs, sentences, clauses,
203 phrases or parts thereof shall be in no matter affected thereby
204 but shall remain in full force and effect.

205 **SECTION 9.** This act shall take effect and be in force from
206 and after its passage.

