

By: Senator(s) Hopson, Polk, Butler (36th),
DeBar, Frazier, Michel, Parks, Williams,
Branning, McLendon, Moran, Parker

To: Appropriations

SENATE BILL NO. 2862

1 AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE
2 FISCAL RECOVERY FUND TO THE DEPARTMENT OF CHILD PROTECTION
3 SERVICES FOR THE PURPOSE OF PROVIDING ENHANCED SERVICES TO CHILD
4 WELFARE-INVOLVED FAMILIES AND FOSTER YOUTH THAT WERE NEGATIVELY
5 IMPACTED BY THE COVID-19 PUBLIC HEALTH EMERGENCY, AND OTHER
6 OPERATIONAL EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT;
7 AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** The following sum, or so much thereof as may be
10 necessary, is hereby appropriated out of any money to the credit
11 of the Coronavirus State Fiscal Recovery Fund to the Department of
12 Child Protection Services for the purpose described in this
13 section, for the period beginning on July 1, 2021, and ending June
14 30, 2022 \$ 59,100,000.00.

15 The funds appropriated under this section are for the purpose
16 of providing enhanced services to child welfare-involved families
17 and foster youth that were negatively impacted by the Coronavirus
18 Disease 2019 (COVID-19) pandemic and other operational expenses as
19 allowed under Section 9901 of the American Rescue Plan Act of 2021



20 (ARPA) or any guidance or regulation issued by the United States
21 Department of the Treasury in conformity therewith.

22 **SECTION 2.** It is the intention of the Legislature that no
23 funds appropriated under this act shall be used to pay employee
24 premium payments.

25 **SECTION 3.** (1) As used in this section and Section 4 of
26 this act, the term "department" means the Department of Child
27 Protection Services.

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



45 Uniform Guidance, 2 CFR Section 200.303 regarding internal
46 controls, Sections 200.330 through 200.332 regarding sub-recipient
47 monitoring and management, and subpart F regarding audit
48 requirements.

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

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



70 for any of those funds that the Office of the Inspector General
71 determined were expended or otherwise used improperly by the
72 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 this act shall be paid
77 by the State Treasurer out of any money in the Coronavirus State
78 Fiscal Recovery Fund not otherwise appropriated, upon warrants
79 issued by the State Fiscal Officer; and the State Fiscal Officer
80 shall issue his or her warrants upon requisitions signed by the
81 proper person, officer or officers in the manner provided by law.

82 **SECTION 6.** This act shall take effect and be in force from
83 and after its passage.

