

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

To: Appropriations

SENATE BILL NO. 2863

1 AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE
2 FISCAL RECOVERY FUND TO THE MISSISSIPPI EMERGENCY MANAGEMENT
3 AGENCY TO DEFRAY ELIGIBLE COVID-19 EXPENSES ALLOWABLE UNDER THE
4 AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

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 hereby appropriated out of any money to the credit
8 of the Coronavirus State Fiscal Recovery Fund to the Mississippi
9 Emergency Management Agency for the purpose described in this
10 section, for the period beginning on July 1, 2021, and ending June
11 30, 2022.....\$ 3,170,000.00.

12 The funds appropriated under this section are for the purpose
13 of defraying eligible expenses in connection with the Coronavirus
14 Disease 2019 (COVID-19) as allowed under Section 9901 of the
15 American Rescue Plan Act of 2021 (ARPA) or any guidance or
16 regulation issued by the United States Department of the Treasury
17 in conformity therewith.



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

21 **SECTION 3.** (1) As used in this section and Section 4 of
22 this act, the term "agency" means the Mississippi Emergency
23 Management Agency.

24 (2) The agency shall not disburse any funds appropriated
25 under this act to any recipient without first: (a) making an
26 individualized determination that the reimbursement sought is, in
27 the agency's independent judgment, for necessary expenditures
28 eligible under Section 602 of the federal Social Security Act as
29 added by Section 9901 of the federal American Rescue Plan Act of
30 2021 (ARPA) and its implementing guidelines, guidance, rules,
31 regulations and/or other criteria, as may be amended or
32 supplemented from time to time, by the United States Department of
33 the Treasury; and (b) determining that the recipient has not
34 received and will not receive reimbursement for the expense in
35 question from any source of funds, including insurance proceeds,
36 other than those funds provided under Section 602 of the federal
37 Social Security Act as added by Section 9901 of ARPA. In
38 addition, the agency shall ensure that all funds appropriated
39 under this act are disbursed in compliance with the Single Audit
40 Act (31 USC Sections 7501-7507) and the related provisions of the
41 Uniform Guidance, 2 CFR Section 200.303 regarding internal
42 controls, Sections 200.330 through 200.332 regarding sub-recipient



43 monitoring and management, and subpart F regarding audit
44 requirements.

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

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



68 recipient, then the agency or recipient that expended or otherwise
69 used those funds improperly shall be required to pay the amount of
70 those funds to the State of Mississippi for repayment to the
71 federal government.

72 **SECTION 5.** The money appropriated by this act shall be paid
73 by the State Treasurer out of any money in the Coronavirus State
74 Fiscal Recovery Fund not otherwise appropriated, upon warrants
75 issued by the State Fiscal Officer; and the State Fiscal Officer
76 shall issue his or her warrants upon requisitions signed by the
77 proper person, officer or officers in the manner provided by law.

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

