

By: Senator(s) Hopson, Polk, DeLano, Butler  
(38th), Moran, Seymour

To: Appropriations

SENATE BILL NO. 3019  
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
2 THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR  
3 2023.

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

5 **SECTION 1.** The following sum, or so much thereof as may be  
6 necessary, is hereby appropriated out of any money in the State  
7 General Fund not otherwise appropriated, for the purpose of  
8 defraying the general expenses of the operation of the Mississippi  
9 National Guard for the fiscal year beginning July 1, 2022, and  
10 ending June 30, 2023.....\$ 8,668,520.00.

11 **SECTION 2.** The following sum, or so much thereof as may be  
12 necessary, is hereby appropriated to the Mississippi National  
13 Guard, out of any money in the State Treasury to the credit of the  
14 Camp Shelby Timber Fund No. 3700, as created by Chapter 187, Laws  
15 of 1954, as amended; the Army National Guard Programs Fund No.  
16 3701; the Camp Shelby Base Operations Fund No. 3705; and the Air  
17 National Guard Programs Fund No. 3709, for the purpose of carrying  
18 out the provisions of applicable statutes and federal/state



19 agreements for the fiscal year beginning July 1, 2022, and ending  
20 June 30, 2023.....\$ 168,297,026.00.

21 **SECTION 3.** Of the funds appropriated under the provisions of  
22 this act, the following positions are authorized:

23 AUTHORIZED HEADCOUNT:

24 Permanent: 886

25 Time-Limited: 27

26 Any transfers or escalations shall be made in accordance with  
27 the terms, conditions, and procedures established by law.

28 No general funds authorized to be expended herein shall be  
29 used to replace federal funds and/or other special funds which are  
30 being used for salaries authorized under the provisions of this  
31 act and which are withdrawn and no longer available.

32 **SECTION 4.** Of the funds appropriated under the provisions of  
33 Section 2 of this act, funds in the amount of Two Million Dollars  
34 (\$2,000,000.00) shall be derived from the Education Enhancement  
35 Fund deposited pursuant to Sections 27-65-75 and 27-67-31,  
36 Mississippi Code of 1972, for the purpose of defraying the  
37 expenses of the State Education Assistance Program.

38 **SECTION 5.** It is the intention of the Legislature that the  
39 agency's budget request for Fiscal Year 2024 shall be submitted to  
40 the Joint Legislative Budget Committee in a format and level of  
41 detail comparable to the format and level of detail provided  
42 during the Fiscal Year 2023 budget request process.



43           **SECTION 6.** All funds authorized to be expended herein shall  
44 be expended and otherwise accounted for in accordance with the  
45 provisions of Section 27-104-1 et seq., Mississippi Code of 1972.  
46 If not needed for other purposes, the Adjutant General is hereby  
47 expressly authorized to invest any part of or all monies herein  
48 appropriated out of the Camp Shelby Timber Fund at the highest  
49 rate of interest obtainable and credit interest accruing on such  
50 investments to the respective fund. Such monies may be invested  
51 in any short-term bonds, notes or other direct obligations of the  
52 United States of America or the State of Mississippi or any county  
53 or municipality of this state, which said county or municipal  
54 bonds have been approved by a reputable bonds attorney or have  
55 been validated by a decree of the court, and in any event the said  
56 bonds, notes or obligations in which such funds are invested shall  
57 mature or be redeemable prior to the time the funds so invested  
58 will be needed for the refund or refunds herein provided for.

59           **SECTION 7.** Of the funds appropriated in Section 1 of this  
60 act, One Million Nine Hundred Twenty-eight Thousand Seventy-five  
61 Dollars (\$1,928,075.00) shall be provided for the support of the  
62 Youth Challenge Program at Camp Shelby.

63           **SECTION 8.** Of the funds provided under the provisions of  
64 this act, Six Hundred Twenty-six Thousand Five Hundred Five  
65 Dollars (\$626,505.00) is provided for the Armed Forces Military  
66 Museum located at Camp Shelby.



67           **SECTION 9.** Of the funds appropriated to be expended in this  
68 act, no General Funds shall be used to reimburse members and  
69 personnel of the Mississippi National Guard for the costs  
70 associated with attending authorized training. Any expenditure of  
71 funds for the purpose of compensation of such personnel and  
72 members for per diems and travel expenses shall be expended from  
73 any federal funds which are made available to the Mississippi  
74 National Guard for ancillary purposes.

75           **SECTION 10.** Of the funds provided under the provisions of  
76 this act, an amount not to exceed Three Hundred Thousand Dollars  
77 (\$300,000.00) is provided for the Sonny Montgomery Center for  
78 America's Veterans at Mississippi State University.

79           **SECTION 11.** Of the funds provided in Sections 1 and 2 of  
80 this act, Ten Thousand Dollars (\$10,000.00) is provided for the  
81 purchase of uniforms for the Youth Challenge Program staff.

82           **SECTION 12.** Of the funds appropriated in Section 1 of this  
83 act, Twenty-five Thousand Dollars (\$25,000.00) shall be provided  
84 for the operations of the Mississippi State Guard.

85           **SECTION 13.** The Adjutant General of Mississippi is hereby  
86 authorized to transfer any part of appropriated funds, including  
87 general funds or capital expense funds, to special funds within  
88 the Mississippi Military Department, to facilitate federal grant  
89 matching requirements. Prior written notification of transfer  
90 shall be provided to the Legislative Budget Office and the  
91 Department of Finance and Administration.



92           **SECTION 14.** It is the intention of the Legislature that  
93 whenever two (2) or more bids are received by this agency for the  
94 purchase of commodities or equipment, and whenever all things  
95 stated in such received bids are equal with respect to price,  
96 quality and service, the Mississippi Industries for the Blind  
97 shall be given preference. A similar preference shall be given to  
98 the Mississippi Industries for the Blind whenever purchases are  
99 made without competitive bids.

100           **SECTION 15.** It is the intention of the Legislature that the  
101 funds herein appropriated shall be expended in compliance with  
102 Section 27-104-25, Mississippi Code of 1972, that no state agency  
103 shall incur obligations or indebtedness in excess of their  
104 appropriation and that the responsible officers, either personally  
105 or upon their official bonds, shall be held responsible for  
106 actions contrary to this provision.

107           **SECTION 16.** Of the funds appropriated under the provisions  
108 of Section 2 of this act, Nine Hundred Forty Thousand Dollars  
109 (\$940,000.00), or so much thereof, shall be derived out of any  
110 money in the State Treasury to the credit of the Capital Expense  
111 Fund, as created in Section 27-103-303, Mississippi Code of 1972,  
112 and allocated in a manner as determined by the Treasurer's Office.  
113 This appropriation is made for the purpose of providing the funds  
114 to purchase a foam truck for the Hawkins Field Airport.

115           **SECTION 17.** Of the funds appropriated under the provisions  
116 of Section 2 of this act, One Million Dollars (\$1,000,000.00), or



117 so much thereof, shall be derived out of any money in the State  
118 Treasury to the credit of the Capital Expense Fund, as created in  
119 Section 27-103-303, Mississippi Code of 1972, and allocated in a  
120 manner as determined by the Treasurer's Office. This  
121 appropriation is made for the purpose of providing the funds for  
122 the construction of a military equipment storage depot at Camp  
123 Shelby.

124         **SECTION 18.** (1) Of the funds appropriated under the  
125 provisions of Section 2 of this act, the following sum, or so much  
126 thereof as may be necessary, is hereby appropriated out of any  
127 money in the State Treasury to the credit of the Coronavirus State  
128 Fiscal Recovery Fund not otherwise appropriated to the credit of  
129 the Mississippi National Guard.....\$     10,391,000.00.

130         These funds are provided for the purpose of completing  
131 capital projects at Mississippi National Guard buildings and  
132 grounds as allowable under Section 9901 of the American Rescue  
133 Plan Act of 2021 (ARPA) or any guidance or regulation issued by  
134 the United States Department of the Treasury in conformity  
135 therewith.

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

138         (3) The agency shall not disburse any funds provided under  
139 this section to any recipient without first: (a) making an  
140 individualized determination that the reimbursement sought is, in  
141 the agency's independent judgment, for necessary expenditures



142 eligible under Section 602 of the federal Social Security Act as  
143 added by Section 9901 of the federal American Rescue Plan Act of  
144 2021 (ARPA) and its implementing guidelines, guidance, rules,  
145 regulations and/or other criteria, as may be amended or  
146 supplemented from time to time, by the United States Department of  
147 the Treasury; and (b) determining that the recipient has not  
148 received and will not receive reimbursement for the expense in  
149 question from any source of funds, including insurance proceeds,  
150 other than those funds provided under Section 602 of the federal  
151 Social Security Act as added by Section 9901 of ARPA. In  
152 addition, the agency shall ensure that all funds provided under  
153 this section are disbursed in compliance with the Single Audit Act  
154 (31 USC Sections 7501-7507) and the related provisions of the  
155 Uniform Guidance, 2 CFR Section 200.303 regarding internal  
156 controls, Sections 200.330 through 200.332 regarding sub-recipient  
157 monitoring and management, and subpart F regarding audit  
158 requirements.

159 (4) As a condition of receiving and expending the funds  
160 provided to the agency under this section, the agency shall  
161 certify to the Department of Finance and Administration that each  
162 expenditure of the funds provided to the agency under this section  
163 complies with the guidelines, guidance, rules, regulations and/or  
164 other criteria, as may be amended from time to time, of the United  
165 States Department of the Treasury regarding the use of monies from  
166 the Coronavirus State Fiscal Recovery Fund established by ARPA.



167 (5) If the Office of Inspector General of the United States  
168 Department of the Treasury, or the Office of Inspector General of  
169 any other federal agency having oversight over the use of monies  
170 from the Coronavirus State Fiscal Recovery Fund established by  
171 ARPA (a) determines that the agency or recipient has expended or  
172 otherwise used any of the funds provided to the agency under this  
173 section for any purpose that is not in compliance with the  
174 guidelines, guidance, rules, regulations and/or other criteria, as  
175 may be amended from time to time, of the United States Department  
176 of the Treasury regarding the use of monies from the Coronavirus  
177 State Fiscal Recovery Fund established by the ARPA, and (b) the  
178 State of Mississippi is required to repay the federal government  
179 for any of those funds that the Office of the Inspector General  
180 determined were expended or otherwise used improperly by the  
181 agency or recipient, then the agency or recipient that expended or  
182 otherwise used those funds improperly shall be required to pay the  
183 amount of those funds to the State of Mississippi for repayment to  
184 the federal government.

185 **SECTION 19.** The money herein appropriated shall be paid by  
186 the State Treasurer out of any money in the State Treasury to the  
187 credit of the proper fund or funds as set forth in this act, upon  
188 warrants issued by the State Fiscal Officer; and the State Fiscal  
189 Officer shall issue his warrants upon requisitions signed by the  
190 proper person, officer or officers, in the manner provided by law.





191           **SECTION 20.** This act shall take effect and be in force from  
192 and after July 1, 2022.

