

By: Senator(s) Hopson, Polk, Butler (36th),
DeBar, Frazier, Michel, Parks, Williams,
Blount

To: Appropriations

SENATE BILL NO. 3063

1 AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE
2 CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF PUBLIC
3 SAFETY FOR THE PURPOSE OF COMPLETING CAPITAL PROJECTS AND
4 OPERATIONAL EXPENDITURES NECESSARY TO RESPOND TO THE EFFECTS OF
5 THE COVID-19 PANDEMIC ALLOWABLE UNDER THE AMERICAN RESCUE PLAN
6 ACT; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** The following sum, or so much thereof as may be
9 necessary, is hereby appropriated out of any money in the
10 Coronavirus State Fiscal Recovery Fund not otherwise appropriated,
11 to the Department of Public Safety for the purposes described in
12 this section, for the period beginning July 1, 2021, and ending
13 June 30, 2022\$ 11,535,000.00.

14 This additional appropriation is for the purpose of
15 completing capital projects at state-owned buildings or grounds
16 and operational expenditures necessary to respond to the effects
17 of the COVID-19 pandemic as allowable under Section 9901 of the
18 American Rescue Plan Act of 2021 (ARPA) or any guidance or
19 regulation issued by the United States Department of the Treasury
20 in conformity therewith.



21 **SECTION 2.** "Capital projects" for the purpose of this act
22 shall mean the following:

23 (a) Eligible projects under the Environmental Protection
24 Agency's Clean Water State Revolving Fund (CWSRF) or Drinking
25 Water State Revolving Fund (DWSRF), lead remediation, and
26 stormwater infrastructure;

27 (b) Prevention, mitigation, or other services in congregate
28 living facilities and other key settings;

29 (c) Ventilation system installation and improvements;

30 (d) Capital investments in public facilities to implement
31 COVID-19 mitigation tactics;

32 (e) Improvements to state parks due to increased use;

33 (f) Any other eligible project through ARPA guidelines,
34 guidance, rules, regulations and/or other criteria, as may be
35 amended from time to time, of the United States Department of the
36 Treasury excluding broadband infrastructure.

37 **SECTION 3.** It is the intention of the Legislature that no
38 funds appropriated under this act shall be used to pay employee
39 premium payments.

40 **SECTION 4.** (1) As used in this section and Section 5 of
41 this act, the term "department" means the Department of Public
42 Safety.

43 (2) The department shall not disburse any funds appropriated
44 under this act to any recipient without first: (a) making an
45 individualized determination that the reimbursement sought is, in



46 the department's independent judgment, for necessary expenditures
47 eligible under Section 602 of the federal Social Security Act as
48 added by Section 9901 of the federal American Rescue Plan Act of
49 2021 (ARPA) and its implementing guidelines, guidance, rules,
50 regulations and/or other criteria, as may be amended or
51 supplemented from time to time, by the United States Department of
52 the Treasury; and (b) determining that the recipient has not
53 received and will not receive reimbursement for the expense in
54 question from any source of funds, including insurance proceeds,
55 other than those funds provided under Section 602 of the federal
56 Social Security Act as added by Section 9901 of ARPA. In
57 addition, the department shall ensure that all funds appropriated
58 under this act are disbursed in compliance with the Single Audit
59 Act (31 USC Sections 7501-7507) and the related provisions of the
60 Uniform Guidance, 2 CFR Section 200.303 regarding internal
61 controls, Sections 200.330 through 200.332 regarding sub-recipient
62 monitoring and management, and subpart F regarding audit
63 requirements.

64 **SECTION 5.** (1) As a condition of receiving and expending
65 the funds appropriated to the department under this act, the
66 department shall certify to the Department of Finance and
67 Administration that each expenditure of the funds appropriated to
68 the department under this act complies with the guidelines,
69 guidance, rules, regulations and/or other criteria, as may be
70 amended from time to time, of the United States Department of the



71 Treasury regarding the use of monies from the Coronavirus State
72 Fiscal Recovery Fund established by ARPA.

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

91 **SECTION 6.** The money herein appropriated shall be paid by
92 the State Treasurer out of any money in the State Treasury to the
93 credit of the proper fund or funds as set forth in this act, upon
94 warrants issued by the State Fiscal Officer, and the State Fiscal



95 Officer shall issue his warrants upon requisitions signed by the
96 proper person, officer or officers, in the manner provided by law.

97 **SECTION 7.** This act shall take effect and be in force from
98 and after its passage.

