To: Appropriations

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

SENATE BILL NO. 3064

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) GRANT PROGRAM FUND" TO THE DEPARTMENT OF FINANCE FOR THE PURPOSE OF ADMINISTERING THE "MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES (MAICU) INFRASTRUCTURE GRANT PROGRAM ACT OF 2022" WHICH PROVIDES REIMBURSABLE GRANTS TO INDEPENDENT COLLEGES AND UNIVERSITIES FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

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

SECTION 1. The following sum, or so much thereof as may be necessa}
program provides reimbursable grants to independent colleges and
universities for drinking water, wastewater, stormwater, and other
capital projects that are allowable under Section 9901 of the
American Rescue Plan Act of 2021 (ARPA) or any guidance or
regulation issued by the United States Department of the Treasury
in conformity therewith.

SECTION 2. For the purposes of this act, unless the context
requires "independent colleges and universities," shall mean:
Belhaven University, Blue Mountain College, Millsaps College,
Mississippi College, Rust College, Tougaloo College, and William
Carey University.

SECTION 3. Of the funds appropriated under the provisions of
Section 1 of this act, an amount not to exceed Two Hundred
Thousand Dollars ($200,000.00) or so much thereof, shall be
provided to the Department of Finance and Administration for
administering the MAICU Infrastructure Grant Program Act of 2022.

SECTION 4. It is the intention of the Legislature that no
funds appropriated under this act shall be used to pay employee
premium payments.

SECTION 5. (1) As used in this section and Section 6 of
this act, the term "department" means the Department of Finance
and Administration.

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

SECTION 6. (1) As a condition of receiving and expending the funds granted to each entity listed in Section 2 under this act, each entity shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department and granted to them under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury.
States Department of the Treasury regarding the use of monies from
the Coronavirus State Fiscal Recovery Fund established by ARPA.

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

SECTION 7. The money appropriated by this act shall be paid
by the State Treasurer out of any money in the Coronavirus State
Fiscal Recovery Fund not otherwise appropriated, upon warrants
issued by the State Fiscal Officer; and the State Fiscal Officer
shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after its passage.