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 necessary, is hereby appropriated out of any money to the credit of the "Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund" to the Department of Finance and Administration for the purposes described in this section, for the period beginning on July 1, 2021, and ending June 30, 2022.$ 10,200,000.00.

This additional appropriation is for the purpose of administering the "Mississippi Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program Act of 2022" established in Senate Bill No. 2724, 2022 Regular Session. This
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 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.