

Senate Amendments to House Bill No. 1427

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

8 SECTION 1. The federal COVID-19 public health emergency
9 continues to create significant exposure and risk to law
10 enforcement officers and firefighters in the State of Mississippi.
11 American Rescue Plan Act funds are specifically targeted toward
12 assisting with premium pay for such public safety workers. The
13 funds provided in this act are necessary expenditures related to
14 COVID-19, the purpose of which is to provide law enforcement
15 officers and firefighters premium pay for their heightened risk
16 during the ongoing federal COVID-19 public health emergency.

17 SECTION 2. (1) There is created in the State Treasury a
18 special fund to be designated as the "Mississippi Law Enforcement
19 and Firefighters Premium Pay Fund," which shall consist of funds
20 made available by the Legislature in any manner and funds from any
21 other source designated for deposit into such fund. The fund
22 shall be maintained by the State Treasurer as a separate and
23 special fund, separate and apart from the General Fund of the
24 state. Unexpended amounts remaining in the fund at the end of a

25 fiscal year shall not lapse into the State General Fund, and any
26 investment earnings or interest earned on amounts in the fund
27 shall be deposited to the credit of the fund. Monies in the fund
28 shall be used by the Department of Public Safety, upon
29 appropriation by the Legislature, for the purposes provided in
30 this section. Monies in the fund shall be disbursed in compliance
31 with the guidelines, guidance, rules, regulations and/or other
32 criteria, as may be amended from time to time, of the United
33 States Department of the Treasury regarding the use of monies from
34 the American Rescue Plan Act. Monies in the fund shall be
35 disbursed by the Department of Public Safety to provide premium
36 pay to certain law enforcement officers and firefighters in the
37 State of Mississippi.

38 (2) The Department of Public Safety shall distribute the
39 monies in the special fund in accordance with the following:

40 (a) One Thousand Dollars (\$1,000.00) of premium pay
41 shall be paid to each eligible individual.

42 (b) Eligible individuals are all certified, full-time
43 and part-time law enforcement officers and certified, full-time
44 and part-time firefighters who are serving in the State of
45 Mississippi on the effective date of this act, except those
46 excluded under paragraph (c) of this subsection, and all volunteer
47 firefighters registered with the State of Mississippi or a
48 political subdivision thereof on a volunteer firefighting status
49 who have served as a firefighter in the State of Mississippi from
50 January 1, 2020, through the effective date of this act. The

51 Commissioner of Insurance shall prescribe the criteria for
52 volunteer firefighters to be an eligible individual under this
53 paragraph. If a person is an eligible individual in more than one
54 (1) position covered under this paragraph, that person will only
55 be eligible for one (1) payment of premium pay under paragraph (a)
56 of this subsection.

57 (c) Any law enforcement officer who received hazard pay
58 from the Governor's discretionary funds authorized by the
59 Legislature from the federal Coronavirus Aid, Relief and Economic
60 Security Act is not eligible to receive monies under this act.

61 (d) The department also shall distribute monies in the
62 special fund to counties, municipalities and other governmental
63 entities that, before the effective date of this act, paid premium
64 pay to law enforcement officers and firefighters employed by them
65 from funds received under the federal American Rescue Plan Act, to
66 reimburse those governmental entities for not more than One
67 Thousand Dollars (\$1,000.00) of the amount of premium pay that the
68 governmental entity paid to each recipient.

69 (3) The Department of Finance and Administration and the
70 Department of Audit shall have all powers necessary for the
71 implementation of this section.

72 (4) If the Office of Inspector General of the United States
73 Department of the Treasury, or the Office of Inspector General of
74 any other federal agency having oversight over the use of monies
75 from the Coronavirus State and Local Fiscal Recovery Funds
76 established by the American Rescue Plan Act (a) determines that

77 the Department of Public Safety or recipient has expended or
78 otherwise used any of the funds appropriated to the Department of
79 Public Safety under this act for any purpose that is not in
80 compliance with the guidelines, guidance, rules, regulations
81 and/or other criteria, as may be amended from time to time, by the
82 United States Department of the Treasury regarding the use of
83 monies from the Coronavirus State and Local Fiscal Recovery Funds
84 established by the American Rescue Plan Act, and (b) the State of
85 Mississippi is required to repay the federal government for any of
86 those funds that the Office of the Inspector General determined
87 were expended or otherwise used improperly by the Department of
88 Public Safety or recipient, then the Department of Safety or
89 recipient, as the case may be, that expended or otherwise used
90 those funds improperly shall be required to pay the amount of
91 those funds to the State of Mississippi for repayment to the
92 federal government.

93 **SECTION 3.** This act shall take effect and be in force from
94 and after July 1, 2022, and shall stand repealed from and after
95 June 30, 2022.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO CREATE THE "MISSISSIPPI LAW ENFORCEMENT AND
2 FIREFIGHTERS PREMIUM PAY FUND" AS A SPECIAL FUND IN THE STATE
3 TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC SAFETY FOR
4 THE PURPOSE OF PROVIDING FUNDS TO LAW ENFORCEMENT OFFICERS AND
5 FIREFIGHTERS AS PREMIUM PAY FOR THEIR EFFORTS DURING THE COVID-19
6 PUBLIC HEALTH EMERGENCY; AND FOR RELATED PURPOSES.

SS26\HB1427A.J

Eugene S. Clarke
Secretary of the Senate