

Senate Amendments to House Bill No. 1537

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:

12 **SECTION 1.** The following sum, or so much thereof as may be
13 necessary, is hereby appropriated out of any money to the credit
14 of the "Mississippi Municipal-County Water Infrastructure Grant
15 Program Fund" to the Department of Environmental Quality for the
16 purpose described in this section, for the period beginning on
17 July 1, 2021, and ending June 30, 2022.....\$ 400,000,000.00.

18 This additional appropriation is for the purpose of
19 administering the "Mississippi Municipality and County Water
20 Infrastructure (MCWI) Grant Program" established in Senate Bill
21 No. 2822, 2022 Regular Session. This program provides
22 reimbursable grants to municipalities and counties for drinking
23 water, wastewater, and stormwater projects that are allowable
24 under Section 9901 of the American Rescue Plan Act of 2021 (ARPA)
25 or any guidance or regulation issued by the United States
26 Department of the Treasury in conformity therewith.

27 **SECTION 2.** The following sum, or so much thereof as may be
28 necessary, is hereby appropriated out of any money to the credit

29 of the "Mississippi Rural Water Infrastructure Grant Program Fund"
30 to the Department of Environmental Quality for the purpose
31 described in this section, for the period beginning on July 1,
32 2021, and ending June 30, 2022.....\$ 350,000,000.00.

33 This additional appropriation is for the purpose of
34 administering the "Mississippi Rural Water Infrastructure (RWI)
35 Grant Program" established in Senate Bill No. 2822, 2022 Regular
36 Session. This program provides reimbursable grants to rural water
37 associations and utility authorities for drinking water,
38 wastewater, and stormwater projects that are allowable under
39 Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any
40 guidance or regulation issued by the United States Department of
41 the Treasury in conformity therewith.

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

45 **SECTION 4.** (1) As used in this section and Section 5 of
46 this act, the term "department" means the Department of
47 Environmental Quality.

48 (2) The department shall not disburse any funds appropriated
49 under this act to any recipient without first: (a) making an
50 individualized determination that the reimbursement sought is, in
51 the department's independent judgment, for necessary expenditures
52 eligible under Section 602 of the federal Social Security Act as
53 added by Section 9901 of the federal American Rescue Plan Act of
54 2021 (ARPA) and its implementing guidelines, guidance, rules,

55 regulations and/or other criteria, as may be amended or
56 supplemented from time to time, by the United States Department of
57 the Treasury; and (b) determining that the recipient has not
58 received and will not receive reimbursement for the expense in
59 question from any source of funds, including insurance proceeds,
60 other than those funds provided under Section 602 of the federal
61 Social Security Act as added by Section 9901 of (ARPA). In
62 addition, the department shall ensure that all funds appropriated
63 under this act are disbursed in compliance with the Single Audit
64 Act (31 USC Sections 7501-7507) and the related provisions of the
65 Uniform Guidance, 2 CFR Section 200.303 regarding internal
66 controls, Sections 200.330 through 200.332 regarding sub-recipient
67 monitoring and management, and subpart F regarding audit
68 requirements.

69 **SECTION 5.** (1) As a condition of receiving and expending
70 the funds appropriated to the department under this act, the
71 department shall certify to the Department of Finance and
72 Administration that each expenditure of the funds appropriated to
73 the department under this act complies with the guidelines,
74 guidance, rules, regulations and/or other criteria, as may be
75 amended from time to time, of the United States Department of the
76 Treasury regarding the use of monies from the Coronavirus State
77 Fiscal Recovery Fund established by the American Rescue Plan Act
78 of 2021.

79 (2) If the Office of Inspector General of the United States
80 Department of the Treasury, or the Office of Inspector General of

81 any other federal agency having oversight over the use of monies
82 from the Coronavirus State Fiscal Recovery Fund established by the
83 American Rescue Plan Act of 2021 (a) determines that the
84 department or recipient has expended or otherwise used any of the
85 funds appropriated to the department under this act for any
86 purpose that is not in compliance with the guidelines, guidance,
87 rules, regulations and/or other criteria, as may be amended from
88 time to time, of the United States Department of the Treasury
89 regarding the use of monies from the Coronavirus State Fiscal
90 Recovery Fund established by the American Rescue Plan Act of 2021,
91 and (b) the State of Mississippi is required to repay the federal
92 government for any of those funds that the Office of the Inspector
93 General determined were expended or otherwise used improperly by
94 the department or recipient, then the department or recipient that
95 expended or otherwise used those funds improperly shall be
96 required to pay the amount of those funds to the State of
97 Mississippi for repayment to the federal government.

98 **SECTION 6.** The money herein appropriated shall be paid by
99 the State Treasurer out of any money in the State Treasury to the
100 credit of the proper fund or funds as set forth in this act, the
101 State Fiscal Officer may issue warrants up to four-sevenths (4/7)
102 of the funds which shall be paid upon the passage of this act and
103 the remaining balance shall be paid upon the receipt of the
104 Coronavirus State Fiscal Recovery Funds from the federal
105 government; and the State Fiscal Officer shall issue his warrants

106 upon requisitions signed by the proper person, officer or
107 officers, in the manner provided by law.

108 **SECTION 7.** This act shall take effect and be in force from
109 and after July 1, 2022, and shall stand repealed on June 30, 2022.

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

1 AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE
2 "MISSISSIPPI MUNICIPAL-COUNTY WATER INFRASTRUCTURE GRANT PROGRAM
3 FUND" AND THE "MISSISSIPPI RURAL WATER INFRASTRUCTURE GRANT
4 PROGRAM FUND" TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE
5 PURPOSE OF ADMINISTERING THE "MISSISSIPPI WATER INFRASTRUCTURE
6 GRANT PROGRAM ACT OF 2022" WHICH PROVIDES DRINKING WATER,
7 WASTEWATER, AND STORMWATER INFRASTRUCTURE REIMBURSABLE GRANTS TO
8 MUNICIPALITIES, COUNTIES, RURAL WATER ASSOCIATIONS, AND UTILITY
9 AUTHORITIES, AND OTHER OPERATIONAL EXPENSES ALLOWABLE UNDER THE
10 AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

SS36\HB1537A.J

Eugene S. Clarke
Secretary of the Senate