

Senate Amendments to House Bill No. 1538

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 following sum, or so much of it as may be
9 necessary, is appropriated out of any money in the ARPA Drinking
10 Water Infrastructure Fund not otherwise appropriated, to the State
11 Department of Health for the purpose of funding the ARPA Drinking
12 Water Infrastructure Grant Program established under House Bill
13 No. 1425, 2022 Regular Session, for the fiscal year beginning July
14 1, 2022, and ending June 30, 2023.....\$ 0.00.

15 **SECTION 2.** The following sum, or so much of it as may be
16 necessary, is appropriated out of any money in the ARPA Rural
17 Water Associations Infrastructure Fund not otherwise appropriated,
18 to the State Department of Health for the purpose of funding the
19 ARPA Rural Water Associations Infrastructure Grant Program
20 established under House Bill No. 1421, 2022 Regular Session, for
21 the fiscal year beginning July 1, 2022, and ending
22 June 30, 2023.....\$ 0.00.

23 **SECTION 3.** (1) As used in this section and Section 4 of
24 this act, the term "department" means the State Department of
25 Health.

26 (2) The department shall not disburse any funds appropriated
27 under this act to any recipient without first: (a) making an
28 individualized determination that the reimbursement sought is, in
29 the department's independent judgment, for necessary expenditures
30 eligible under Section 602 of the federal Social Security Act as
31 added by Section 9901 of the federal American Rescue Plan Act of
32 2021 (ARPA) and its implementing guidelines, guidance, rules,
33 regulations and/or other criteria, as may be amended or
34 supplemented from time to time, by the United States Department of
35 the Treasury; and (b) determining that the recipient has not
36 received and will not receive reimbursement for the expense in
37 question from any source of funds, including insurance proceeds,
38 other than those funds provided under Section 602 of the federal
39 Social Security Act as added by Section 9901 of ARPA. In
40 addition, the department shall ensure that all funds appropriated
41 under this act are disbursed in compliance with the Single Audit
42 Act (31 USC Sections 7501-7507) and the related provisions of the
43 Uniform Guidance, 2 CFR Section 200.303 regarding internal
44 controls, Sections 200.330 through 200.332 regarding sub-recipient
45 monitoring and management, and subpart F regarding audit
46 requirements.

47 **SECTION 4.** (1) As a condition of receiving and expending
48 the funds appropriated to the department under this act, the

49 department shall certify to the Department of Finance and
50 Administration that each expenditure of the funds appropriated to
51 the department under this act complies with the guidelines,
52 guidance, rules, regulations and/or other criteria, as may be
53 amended from time to time, of the United States Department of the
54 Treasury regarding the use of monies from the Coronavirus State
55 Fiscal Recovery Fund established by the American Rescue Plan Act
56 of 2021.

57 (2) If the Office of Inspector General of the United States
58 Department of the Treasury, or the Office of Inspector General of
59 any other federal agency having oversight over the use of monies
60 from the Coronavirus State Fiscal Recovery Fund established by the
61 American Rescue Plan Act of 2021 (a) determines that the
62 department or recipient has expended or otherwise used any of the
63 funds appropriated to the department under this act for any
64 purpose that is not in compliance with the guidelines, guidance,
65 rules, regulations and/or other criteria, as may be amended from
66 time to time, of the United States Department of the Treasury
67 regarding the use of monies from the Coronavirus State Fiscal
68 Recovery Fund established by the American Rescue Plan Act of 2021,
69 and (b) the State of Mississippi is required to repay the federal
70 government for any of those funds that the Office of the Inspector
71 General determined were expended or otherwise used improperly by
72 the department or recipient, then the department or recipient that
73 expended or otherwise used those funds improperly shall be

74 required to pay the amount of those funds to the State of
75 Mississippi for repayment to the federal government.

76 **SECTION 5.** The money appropriated by Section 1 of this act
77 shall be paid by the State Treasurer out of any money in the ARPA
78 Drinking Water Infrastructure Fund not otherwise appropriated, and
79 the money appropriated by Section 2 of this act shall be paid by
80 the State Treasurer out of any money in the ARPA Rural Water
81 Associations Infrastructure Fund not otherwise appropriated, upon
82 warrants issued by the State Fiscal Officer; and the State Fiscal
83 Officer shall issue his or her warrants upon requisitions signed
84 by the proper person, officer or officers in the manner provided
85 by law.

86 **SECTION 6.** This act shall take effect and be in force from
87 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 APPROPRIATION TO THE STATE DEPARTMENT OF
2 HEALTH FOR THE PURPOSE OF FUNDING THE ARPA DRINKING WATER
3 INFRASTRUCTURE GRANT PROGRAM ESTABLISHED UNDER HOUSE BILL NO.
4 1425, 2022 REGULAR SESSION, AND THE ARPA RURAL WATER ASSOCIATIONS
5 INFRASTRUCTURE GRANT PROGRAM ESTABLISHED UNDER HOUSE BILL NO.
6 1421, 2022 REGULAR SESSION, FOR THE FISCAL YEAR 2023.

SS26\HB1538A.1J

Eugene S. Clarke
Secretary of the Senate