

By: Representative Lamar

To: Appropriations

HOUSE BILL NO. 389

1 AN ACT MAKING AN APPROPRIATION TO THE PUNKIN WATER
2 ASSOCIATION IN LAFAYETTE COUNTY TO ASSIST THE ASSOCIATION IN COSTS
3 ASSOCIATED WITH ELIGIBLE DRINKING WATER PROJECTS UNDER THE
4 AMERICAN RESCUE PLAN ACT (ARPA) FOR THE FISCAL YEAR 2024.

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

6 **SECTION 1.** The following sum, or so much of it as may be
7 necessary, is appropriated out of any money in the Coronavirus
8 State Fiscal Recovery Fund not otherwise appropriated, to the
9 Punkin Water Association in Lafayette County, Mississippi, to
10 assist the association in costs associated with eligible drinking
11 water projects as provided in the Final Rule for the Coronavirus
12 State and Local Fiscal Recovery Funds as established by the
13 federal American Rescue Plan Act (ARPA), for the fiscal year
14 beginning July 1, 2023, and ending June 30, 2024.....
15\$ 1,500,000.00.

16 **SECTION 2.** The Punkin Water Association shall expend the
17 money appropriated under Section 1 of this act in accordance with
18 the rules and regulations of the State Department of Health
19 adopted under the ARPA Rural Water Association Infrastructure



20 Grant Program established under Section 41-3-16.1, Mississippi
21 Code of 1972, and the Punkin Water shall be considered to be a
22 rural water association for the purpose of complying with the
23 requirements of the rules and regulations.

24 **SECTION 3.** (1) As used in this section and Section 3 of
25 this act, the term "association" means the Punkin Water
26 Association.

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



45 200.332 regarding sub-recipient monitoring and management, and
46 subpart F regarding audit requirements.

47 **SECTION 4.** (1) As a condition of receiving and expending
48 the funds appropriated to the association under this act, the
49 association shall certify to the Department of Finance and
50 Administration that each expenditure of the funds appropriated to
51 the association 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 ARPA.

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



70 then the association shall be required to pay the amount of those
71 funds to the State of Mississippi for repayment to the federal
72 government.

73 **SECTION 5.** The money appropriated by this act shall be paid
74 by the State Treasurer out of any money in the Coronavirus State
75 Fiscal Recovery Fund not otherwise appropriated, upon warrants
76 issued by the State Fiscal Officer; and the State Fiscal Officer
77 shall issue his or her warrants upon requisitions signed by the
78 proper person, officer or officers in the manner provided by law.

79 **SECTION 6.** This act shall take effect and be in force from
80 and after July 1, 2023.

