

By: Senator(s) McDaniel

To: Accountability,
Efficiency, Transparency

SENATE BILL NO. 2876

1 AN ACT ENTITLED THE "FEDERAL FUNDING ACCOUNTABILITY AND
2 TRANSPARENCY ACT OF 2023"; TO PROVIDE DEFINITIONS; TO AUTHORIZE
3 AND DIRECT THE MISSISSIPPI DEPARTMENT OF FINANCE AND
4 ADMINISTRATION TO DEVELOP AND OPERATE A SINGLE SEARCHABLE WEBSITE
5 ACCESSIBLE BY THE PUBLIC AT NO COST THE NAME AND AMOUNT OF EVERY
6 PUBLIC AND NONPUBLIC ENTITY IN THE STATE OF MISSISSIPPI RECEIVING
7 AN AWARD OF FEDERAL FUNDS; TO DIRECT THE DEPARTMENT OF FINANCE AND
8 ADMINISTRATION TO DEVELOP AN ANNUAL REPORT TO THE LEGISLATURE ON
9 THE IMPLEMENTATION OF THE WEBSITE; AND FOR RELATED PURPOSES.

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

11 **SECTION 1. Short title.** This act may be known and cited as
12 the "Federal Funding Accountability and Transparency Act of 2023."

13 **SECTION 2. Full disclosure of entities receiving federal**
14 **funding.** (1) As used in this section:

15 (a) The term "entity" includes, whether for profit or
16 nonprofit:

17 (i) A corporation;

18 (ii) An association;

19 (iii) A partnership;

20 (iv) A limited liability company;

21 (v) A limited liability partnership;



(vi) A sole proprietorship;
(vii) Any other legal business entity;
(viii) Any other grantee or contractor that is not
excluded; and
(ix) Any state, agency, county or local
governmental entity.

Entity does not include an individual recipient of federal
assistance or a federal employee.

(b) The term "federal award" means federal financial
assistance and expenditures that:

(i) Include grants, subgrants, loans, awards,
cooperative agreements, and other forms of financial assistance;

(ii) Include contracts, subcontracts, purchase
orders, task orders, and delivery orders;

(iii) Does not include individual transactions
below Twenty-five Thousand Dollars (\$25,000.00); and

(iv) Before October 1, 2023, does not include
credit card transactions.

(c) The term "searchable website" means a website that
allows the public to:

(i) Search and aggregate federal funding by any
element required by subsection (2) of this section;

(ii) Ascertain through a single search the total
amount of federal funding awarded to an entity by a federal award
by fiscal year;



(iii) Ascertain through a single search the total amount of federal funding awarded to an entity by a federal award described by fiscal year; and

(iv) Download data included in the outcome from searches.

(2) Not later than January 1, 2024, the Mississippi Department of Finance and Administration shall, in conjunction with the federal E-Government Act of 2002 (Public Law 107-347; 44 USC 3501 note), and the Office of Federal Procurement Policy Act (41 USC 403 et seq.), ensure the existence and operation of a single searchable website, accessible by the public at no cost to access, that includes for each federal award:

(a) The name of the entity in the State of Mississippi receiving the award;

(b) The amount of the award;

(c) Information on the award, including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source, and an award title descriptive of the purpose of each funding action;

(d) The location of the entity receiving the award and the primary location of performance under the award, including the city, state, congressional district, and country;



(e) A unique identifier of the entity receiving the award and of the parent entity of the recipient, should the entity be owned by another entity; and

(f) Any other relevant information specified by the Department of Finance and Administration.

The website shall include data for fiscal year 2024, and each fiscal year thereafter. The Director of the Department of Finance and Administration is authorized to designate one or more federal agencies to participate in the development, establishment, operation, and support of the single website. In the initial designation, or in subsequent instructions and guidance, the director may specify the scope of the responsibilities of each such agency.

(3) State and local agencies shall comply with the instructions and guidance issued by the Director of the Department of Finance and Administration under this subsection, and shall provide appropriate assistance to the director upon request, so as to assist the director in ensuring the existence and operation of the single website.

(4) The website established under this section:

(a) May use as the source of its data the Federal Procurement Data System, Federal Assistance Award Data System, and Grants.gov, if all of these data sources are searchable through the website and can be accessed in a search on the website required by this act, provided that the user may:



(i) Specify such search shall be confined to federal contracts and subcontracts; and

(ii) Specify such search shall be confined to include grants, subgrants, loans, awards, cooperative agreements, and other forms of financial assistance;

(b) Shall not be considered in compliance if it hyperlinks to the Federal Procurement Data System website, Federal Assistance Award Data System website, Grants.gov website, or other existing websites, so that the information elements required cannot be searched electronically by field in a single search;

(c) Shall provide an opportunity for the public to provide input about the utility of the site and recommendations for improvements;

(d) Shall be updated not later than thirty (30) days after the award of any federal award requiring a posting; and

(e) Shall provide for separate searches for federal awards.

(5) Any entity that demonstrates to the Director of the Department of Finance and Administration that the gross income, from all federal sources, for such entity did not exceed Three Hundred Thousand Dollars (\$300,000.00) in the previous tax year of such entity shall be exempt from the requirement to report subawards, until the director determines that the imposition of such reporting requirements will not cause an undue burden on such entities.



120 (6) Nothing in this act shall prohibit the Department of
121 Finance and Administration from including through the website
122 established under this section access to data that is publicly
123 available in any other federal database.

124 (7) The Director of the Department of Finance and
125 Administration shall submit to the Governor and Legislature an
126 annual report regarding the implementation of the website
127 established under this section.

128 **SECTION 3.** This act shall take effect and be in force from
129 and after July 1, 2023.

