

By: Senator(s) Butler (36th)

To: Appropriations

SENATE BILL NO. 2929

1 AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE  
2 FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND  
3 ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY  
4 MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN  
5 RESCUE PLAN ACT AT THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2024.

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

7 **SECTION 1.** The following sum, or so much thereof as may be  
8 necessary, is hereby appropriated out of any money to the credit  
9 of the Coronavirus State Fiscal Recovery Fund to the Department of  
10 Finance and Administration Bureau of Building, Grounds, and Real  
11 Property Management for the purposes described in this section,  
12 for the period beginning on July 1, 2023, and ending  
13 June 30, 2024.....\$ 175,000,000.00.

14 This appropriation under this section is for the purpose of  
15 completing capital projects at Alcorn State University, Delta  
16 State University, Jackson State University, Mississippi State  
17 University, Mississippi University for Women, Mississippi Valley  
18 State University, University of Mississippi, and University of  
19 Southern Mississippi that are allowable under Section 9901 of the



20 American Rescue Plan Act of 2021 (ARPA) or any guidance or  
21 regulation issued by the United States Department of the Treasury  
22 in conformity therewith.

23 **SECTION 2.** "Capital projects" for the purpose of this act  
24 shall mean the following:

25 (a) Eligible projects under the Environmental Protection  
26 Agency's Clean Water State Revolving Fund (CWSRF) or Drinking  
27 Water State Revolving Fund (DWSRF), lead remediation, and  
28 stormwater infrastructure;

29 (b) Prevention, mitigation, or other services in congregate  
30 living facilities and other key settings;

31 (c) Ventilation system installation and improvements;

32 (d) Capital investments in public facilities to implement  
33 COVID-19 mitigation tactics;

34 (e) Improvements to state parks due to increased use;

35 (f) Any other eligible project through ARPA guidelines,  
36 guidance, rules, regulations and/or other criteria, as may be  
37 amended from time to time, of the United States Department of the  
38 Treasury, excluding broadband infrastructure.

39 **SECTION 3.** None of the funds appropriated under this act  
40 shall be used to pay employee premium payments.

41 **SECTION 4.** The funds appropriated under the provisions of  
42 Section 1 of this act, or so much thereof as may be necessary,  
43 shall be provided for critical capital projects as determined by  
44 the Department of Finance and Administration Bureau of Building,



45 Grounds, and Real Property Management at state-owned buildings or  
46 grounds occupied by the following universities: Alcorn State  
47 University, Delta State University, Jackson State University,  
48 Mississippi State University, Mississippi University for Women,  
49 Mississippi Valley State University, University of Mississippi,  
50 and University of Southern Mississippi, or any related  
51 subsidiaries of these Universities.

52         **SECTION 5.** (1) As used in this section and Section 6 of  
53 this act, the term "department" means the Department of Finance  
54 and Administration Bureau of Building, Grounds, and Real Property  
55 Management.

56         (2) The department shall not disburse any funds appropriated  
57 under this act to any recipient without first: (a) making an  
58 individualized determination that the reimbursement sought is, in  
59 the department's independent judgment, for necessary expenditures  
60 eligible under Section 602 of the federal Social Security Act as  
61 added by Section 9901 of the federal American Rescue Plan Act of  
62 2021 (ARPA) and its implementing guidelines, guidance, rules,  
63 regulations and/or other criteria, as may be amended or  
64 supplemented from time to time, by the United States Department of  
65 the Treasury; and (b) determining that the recipient has not  
66 received and will not receive reimbursement for the expense in  
67 question from any source of funds, including insurance proceeds,  
68 other than those funds provided under Section 602 of the federal  
69 Social Security Act as added by Section 9901 of ARPA. In



70 addition, the department shall ensure that all funds appropriated  
71 under this act are disbursed in compliance with the Single Audit  
72 Act (31 USC Sections 7501-7507) and the related provisions of the  
73 Uniform Guidance, 2 CFR Section 200.303 regarding internal  
74 controls, Sections 200.330 through 200.332 regarding subrecipient  
75 monitoring and management, and subpart F regarding audit  
76 requirements.

77         **SECTION 6.** (1) As a condition of receiving and expending  
78 the funds appropriated to each entity listed in Section 5 of this  
79 act, each entity shall certify to the Department of Finance and  
80 Administration that each expenditure of the funds appropriated to  
81 the department under this act complies with the guidelines,  
82 guidance, rules, regulations and/or other criteria, as may be  
83 amended from time to time, of the United States Department of the  
84 Treasury regarding the use of monies from the Coronavirus State  
85 Fiscal Recovery Fund established by ARPA.

86         (2) If the Office of Inspector General of the United States  
87 Department of the Treasury, or the Office of Inspector General of  
88 any other federal agency having oversight over the use of monies  
89 from the Coronavirus State Fiscal Recovery Fund established by  
90 ARPA (a) determines that the department or recipient has expended  
91 or otherwise used any of the funds appropriated to the department  
92 under this act for any purpose that is not in compliance with the  
93 guidelines, guidance, rules, regulations and/or other criteria, as  
94 may be amended from time to time, of the United States Department



95 of the Treasury regarding the use of monies from the Coronavirus  
96 State Fiscal Recovery Fund established by ARPA, and (b) the State  
97 of Mississippi is required to repay the federal government for any  
98 of those funds that the Office of the Inspector General determined  
99 were expended or otherwise used improperly by the department or  
100 recipient, then the department or recipient that expended or  
101 otherwise used those funds improperly shall be required to pay the  
102 amount of those funds to the State of Mississippi for repayment to  
103 the federal government.

104       **SECTION 7.** The department shall submit to the Joint  
105 Legislative Budget Committee by October 1 of each year an annual  
106 report. The reports shall contain a listing of the projects  
107 intended to be funded through this appropriation, the amount of  
108 funds allocated toward each project, the amount of funds expended  
109 on each project, and the status of each project.

110       **SECTION 8.** The money appropriated by this act shall be paid  
111 by the State Treasurer out of any money in the Coronavirus State  
112 Fiscal Recovery Fund not otherwise appropriated, upon warrants  
113 issued by the State Fiscal Officer; and the State Fiscal Officer  
114 shall issue his or her warrants upon requisitions signed by the  
115 proper person, officer or officers in the manner provided by law.

116       **SECTION 9.** This act shall take effect and be in force from  
117 and after July 1, 2023.

