

By: Senator(s) Hopson

To: Appropriations

SENATE BILL NO. 2961
(As Sent to Governor)

1 AN ACT TO MAKE AN ADDITIONAL APPROPRIATION FROM THE
2 CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE SUPREME COURT,
3 OFFICE OF THE STATE PUBLIC DEFENDER, DISTRICT ATTORNEYS AND STAFF,
4 MISSISSIPPI NATIONAL GUARD, MISSISSIPPI EMERGENCY MANAGEMENT
5 AGENCY, THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID AND THE
6 MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE; TO PROVIDE THE
7 PURPOSES OF THE APPROPRIATIONS; TO PROVIDE THE STATE MATCH FOR THE
8 FEDERAL EMERGENCY MANAGEMENT AGENCY'S TEMPORARY HOUSING MISSION
9 FOR THE INDIVIDUALS IMPACTED BY THE SEVERE WEATHER EVENT ON MARCH
10 24 AND 25, 2023; AND FOR RELATED PURPOSES.

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

12 **SECTION 1.** In addition to all other funds appropriated
13 herein, the following sum, or so much thereof as may be necessary,
14 is appropriated out of any money in the State Treasury to the
15 credit of the Coronavirus State Fiscal Recovery Fund not otherwise
16 appropriated, to the credit of the Supreme Court - Trial Judges,
17 for the period beginning upon passage of this act, and ending June
18 30, 2024.....\$ 1,480,872.00.

19 These funds are provided for the purpose of funding
20 additional special temporary courts that supplement those
21 authorized under Section 9-7-25, Mississippi Code of 1972,
22 necessary to respond to the effects of the COVID-19 pandemic as



23 allowable under Section 9901 of the American Rescue Plan Act of
24 2021 (ARPA) or any guidance or regulation issued by the United
25 States Department of the Treasury in conformity therewith.

26 **SECTION 2.** In addition to all other funds appropriated
27 herein, the following sum, or so much thereof as may be necessary,
28 is appropriated out of any money in the State Treasury to the
29 credit of the Coronavirus State Fiscal Recovery Fund not otherwise
30 appropriated, to the credit of the Office of the State Public
31 Defender, for the period beginning upon passage of this act, and
32 ending June 30, 2024.....\$ 638,170.00.

33 These funds are provided for the purpose of funding
34 additional salaries and office expenses for public defenders
35 assigned to special temporary courts that supplement those
36 authorized under Section 9-7-25, Mississippi Code of 1972,
37 necessary to respond to the effects of the COVID-19 pandemic as
38 allowable under Section 9901 of the American Rescue Plan Act of
39 2021 (ARPA) or any guidance or regulation issued by the United
40 States Department of the Treasury in conformity therewith.

41 **SECTION 3.** In addition to all other funds appropriated
42 herein, the following sum, or so much thereof as may be necessary,
43 is appropriated out of any money in the State Treasury to the
44 credit of the Coronavirus State Fiscal Recovery Fund not otherwise
45 appropriated, to the credit of the District Attorneys and Staff,
46 for the period beginning upon passage of this act, and ending June
47 30, 2024.....\$ 880,958.00.



48 These funds are provided for the purpose of funding
49 additional salaries and office expenses of temporary legal
50 assistants and support personnel as authorized by Section
51 25-31-5(2) (g), Mississippi Code of 1972, necessary to respond to
52 the effects of the COVID-19 pandemic as allowable under Section
53 9901 of the American Rescue Plan Act of 2021 (ARPA) or any
54 guidance or regulation issued by the United States Department of
55 the Treasury in conformity therewith.

56 **SECTION 4.** In addition to all other funds appropriated
57 herein, the following sum, or so much thereof as may be necessary,
58 is appropriated out of any money in the State Treasury to the
59 credit of the Coronavirus State Fiscal Recovery Fund not otherwise
60 appropriated, to the credit of the Mississippi National Guard, for
61 the period beginning upon passage of this act, and ending June 30,
62 2024.....\$ 5,000,000.00

63 These funds are provided for the purpose of funding
64 additional expenses related to the purchase and installation of
65 chillers and large HVAC units at Mississippi National Guard
66 buildings, including Camp Shelby, necessary to respond to the
67 effects of the COVID-19 pandemic as allowable under Section 9901
68 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or
69 regulation issued by the United States Department of the Treasury
70 in conformity therewith.

71 **SECTION 5.** In addition to all other sums appropriated
72 herein, the following sum, or so much of it as may be necessary,



73 is appropriated out of any money in the State Treasury to the
74 credit of the Disaster Trust Fund not otherwise appropriated, to
75 the credit of the Mississippi Emergency Management Agency for the
76 purposes of defraying expenses related to the severe weather event
77 on March 24 and 25, 2023, for the period beginning upon passage of
78 this act, and ending June 30, 2024.....\$ 7,000,000.00.

79 These funds are provided for the purpose of funding
80 additional expenses of the agency related to the severe weather
81 event on March 24 and 25, 2023.

82 **SECTION 6.** In addition to all other sums appropriated
83 herein, the following sum or so much thereof as may be necessary,
84 is appropriated out of any money to the credit of the Disaster
85 Trust Fund not otherwise appropriated, to the credit of the
86 Mississippi Emergency Management Agency for the purpose of
87 providing funds to the School Districts impacted by the severe
88 weather storm on March 24 and 25, 2023, for the payment of
89 insurance deductibles, the purchase of school buses, vehicles,
90 equipment and defraying other expenses necessary for immediate
91 recovery needs for the period beginning upon passage of this act,
92 and ending June 30, 2024.....\$ 3,000,000.00.

93 **SECTION 7.** In addition to all other sums appropriated
94 herein, the following sum, or so much of it as may be necessary,
95 is appropriated out of any money in the State Treasury to the
96 credit of the March 2023 Storm Housing Mission Fund created in
97 House Bill No. 603, 2023 Regular Session, not otherwise



98 appropriated, to the credit of the Mississippi Emergency
99 Management Agency for the purpose of providing the state match for
100 the Federal Emergency Management Agency's temporary housing
101 mission for the individuals impacted by the severe weather event
102 on March 24 and 25, 2023, for the period beginning upon passage of
103 this act, and ending June 30, 2024.....\$ 7,000,000.00.

104 These funds are provided for the purpose of funding
105 additional expensed related to providing the state match for the
106 Federal Emergency Management Agency's temporary housing mission
107 for the individuals impacted by the severe weather event on March
108 24 and 25, 2023.

109 **SECTION 8.** In addition to all other sums appropriated
110 herein, the following sum, or so much thereof as may be necessary,
111 is appropriated out of any money in the State General Fund not
112 otherwise appropriated, and allocated in a manner as determined by
113 the Treasurer's Office, to defray the expenses of the Mississippi
114 Postsecondary Education Financial Assistance Board for the period
115 beginning July 1, 2023, and ending June 30, 2024.....
116\$ 9,823,000.00.

117 This additional appropriation is contingent upon the passage
118 of Senate Bill No. 2487, 2023 Regular Session, and is for the
119 purpose of providing funds for the Mississippi Dual
120 Enrollment/Dual Credit Scholarship Program Act of 2023, as
121 established by such bill.



122 **SECTION 9.** In addition to all other funds appropriated
123 herein, the following sum, or so much thereof as may be necessary,
124 is hereby appropriated out of any money in the State Treasury to
125 the credit of the Mississippi Department of Agriculture and
126 Commerce not otherwise appropriated, for the purpose of payments
127 to the Department of Public Safety for security costs, for the
128 period beginning upon passage of this act, and ending June 30,
129 2024.....\$ 1,000,000.00.

130 **SECTION 10.** In addition to all other funds appropriated
131 herein, the following sum, or so much thereof as may be necessary,
132 is hereby appropriated out of any money in the State General Fund
133 not otherwise appropriated, to the credit of the Supreme Court -
134 Trial Judges for expenses related to the implementation of and
135 contingent upon the passage of House Bill No. 1020, 2023 Regular
136 Session, for the period beginning upon the passage of this act,
137 and ending June 30, 2024.....\$ 1,299,160.00.

138 **SECTION 11.** In addition to all other funds appropriated
139 herein, the following sum, or so much thereof as may be necessary,
140 is hereby appropriated out of any money in the State General Fund
141 not otherwise appropriated, to the credit of the Supreme Court -
142 Administrative Office of Courts for expenses related to the
143 implementation of and contingent upon the passage of House Bill
144 No. 1020, 2023 Regular Session, for the fiscal period beginning
145 upon the passage of this act, and ending June 30, 2024.....
146\$ 389,665.00.



147 **SECTION 12.** In addition to all other funds appropriated
148 herein, the following sum, or so much thereof as may be necessary,
149 is hereby appropriated out of any money in the State General Fund
150 not otherwise appropriated, to the credit of the District
151 Attorneys and Staff for the implementation of and contingent upon
152 the passage of House Bill No. 1020, 2023 Regular Session, for the
153 period beginning upon the passage of this act, and ending June 30,
154 2024.....\$ 371,679.00

155 **SECTION 13.** In addition to all other funds appropriated
156 herein, the following sum, or so much thereof as may be necessary,
157 is hereby appropriated out of any money in the State General Fund
158 not otherwise appropriated, to the credit of the Office of the
159 State Public Defender for expenses related to the implementation
160 of and contingent upon the passage of House Bill No. 1020, 2023
161 Regular Session, for the period beginning upon passage of this
162 act, and ending June 30, 2024.....\$ 446,521.00.

163 **SECTION 14.** (1) None of the funds provided under this
164 section shall be used to pay employee premium payments.

165 (2) The agencies listed in Sections 1 through 4 of this act
166 shall not disburse any funds provided under this section to any
167 recipient without first: (a) making an individualized
168 determination that the reimbursement sought is, in the agency's
169 independent judgment, for necessary expenditures eligible under
170 Section 602 of the federal Social Security Act as added by Section
171 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and



172 its implementing guidelines, guidance, rules, regulations and/or
173 other criteria, as may be amended or supplemented from time to
174 time, by the United States Department of the Treasury; and (b)
175 determining that the recipient has not received and will not
176 receive reimbursement for the expense in question from any source
177 of funds, including insurance proceeds, other than those funds
178 provided under Section 602 of the federal Social Security Act as
179 added by Section 9901 of ARPA. In addition, the agency shall
180 ensure that all funds provided under this section are disbursed in
181 compliance with the Single Audit Act (31 USC Sections 7501-7507)
182 and the related provisions of the Uniform Guidance, 2 CFR Section
183 200.303 regarding internal controls, Sections 200.330 through
184 200.332 regarding sub-recipient monitoring and management, and
185 subpart F regarding audit requirements.

186 (3) As a condition of receiving and expending the funds
187 provided to the agency under this section, the agency shall
188 certify to the Department of Finance and Administration that each
189 expenditure of the funds provided to the agency under this section
190 complies with the guidelines, guidance, rules, regulations and/or
191 other criteria, as may be amended from time to time, of the United
192 States Department of the Treasury regarding the use of monies from
193 the Coronavirus State Fiscal Recovery Fund established by ARPA.

194 (4) If the Office of Inspector General of the United States
195 Department of the Treasury, or the Office of Inspector General of
196 any other federal agency having oversight over the use of monies



197 from the Coronavirus State Fiscal Recovery Fund established
198 by ARPA (a) determines that the agency or recipient has expended
199 or otherwise used any of the funds provided to the agency under
200 this section for any purpose that is not in compliance with the
201 guidelines, guidance, rules, regulations and/or other criteria, as
202 may be amended from time to time, of the United States Department
203 of the Treasury regarding the use of monies from the Coronavirus
204 State Fiscal Recovery Fund established by the ARPA, and (b) the
205 State of Mississippi is required to repay the federal government
206 for any of those funds that the Office of the Inspector General
207 determined were expended or otherwise used improperly by the
208 agency or recipient, then the agency or recipient that expended or
209 otherwise used those funds improperly shall be required to pay the
210 amount of those funds to the State of Mississippi for repayment to
211 the federal government.

212 **SECTION 15.** The money herein appropriated shall be paid by
213 the State Treasurer out of any money in the State Treasury to the
214 credit of the proper fund or funds as set forth in this act, upon
215 warrants issued by the State Fiscal Officer; and the State Fiscal
216 Officer shall issue his warrants upon requisitions signed by the
217 proper person, officer or officers, in the manner provided by law.

218 **SECTION 16.** This act shall take effect and be in force from
219 and after its passage, with the exception of Section 8 of this
220 act, which shall take effect and be in force from and after July
221 1, 2023.

