

By: Senator(s) Hopson, Polk

To: Appropriations

SENATE BILL NO. 3114

1 AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE
 2 CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF
 3 ENVIRONMENTAL QUALITY FOR THE PURPOSE OF ADMINISTERING THE
 4 "MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE (MCWI)
 5 GRANT PROGRAM ACT ESTABLISHED UNDER SECTION 49-2-131 FOR THE
 6 PERIOD BEGINNING UPON PASSAGE AND ENDING JUNE 30, 2024.

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

8 **SECTION 1.** The following sum, or so much thereof as may be
 9 necessary, is hereby appropriated out of any money in the
 10 Coronavirus State Fiscal Recovery Fund not otherwise appropriated,
 11 to the Department of Environmental Quality for the purpose of
 12 administering the Mississippi Municipality and County Water
 13 Infrastructure (MCWI) Grant Program established under Section
 14 49-2-131 for the period beginning upon passage of this act and
 15 ending June 30, 2024.....\$ 41,000,000.00.

16 **SECTION 2.** None of the funds appropriated under this act
 17 shall be used to pay employee premium payments.

18 **SECTION 3.** (1) As used in this section and Section 4 of
 19 this act, the term "department" means the Department of
 20 Environmental Quality.



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

42 **SECTION 4.** (1) As a condition of receiving and expending
43 the funds appropriated to the department under this act, the
44 department shall certify to the Department of Finance and
45 Administration that each expenditure of the funds appropriated to



46 the department under this act complies with the guidelines,
47 guidance, rules, regulations and/or other criteria, as may be
48 amended from time to time, of the United States Department of the
49 Treasury regarding the use of monies from the Coronavirus State
50 Fiscal Recovery Fund established by the American Rescue Plan Act
51 of 2021.

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



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

77 **SECTION 6.** This act shall take effect and be in force from
78 and after its passage.

