

By: Senator(s) Hopson, Polk

To: Appropriations

SENATE BILL NO. 3118

1 AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE  
 2 CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF  
 3 FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL  
 4 PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE  
 5 AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING ON PASSAGE AND  
 6 ENDING ON 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 to the credit  
 10 of the Coronavirus State Fiscal Recovery Fund to the Department of  
 11 Finance and Administration Bureau of Building, Grounds, and Real  
 12 Property Management for the purposes described in this section,  
 13 for the period beginning on passage, and ending June 30,  
 14 2024..... \$ 75,000,000.00.

15 This additional appropriation under this section is for the  
 16 purpose of completing capital projects at any state-owned  
 17 buildings or grounds that are allowable under Section 9901 of the  
 18 American Rescue Plan Act of 2021 (ARPA) or any guidance or  
 19 regulation issued by the United States Department of the Treasury  
 20 in conformity therewith.



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

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

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

29           (c) Ventilation system installation and improvements;

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

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

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

37           **SECTION 3.** It is the intention of the Legislature that the  
38 Department of Finance and Administration Bureau of Building,  
39 Grounds, and Real Property Management prioritize necessary  
40 investment in drinking water, wastewater, and stormwater  
41 infrastructure when determining projects unless the entity  
42 operates a congregate living facility or the purpose is expressly  
43 stated in this act.

44           **SECTION 4.** None of the funds appropriated under this act  
45 shall be used to pay employee premium payments.



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

50           (2) The department shall not disburse any funds appropriated  
51 under this act to any recipient without first: (a) making an  
52 individualized determination that the reimbursement sought is, in  
53 the department's independent judgment, for necessary expenditures  
54 eligible under Section 602 of the federal Social Security Act as  
55 added by Section 9901 of the federal American Rescue Plan Act of  
56 2021 (ARPA) and its implementing guidelines, guidance, rules,  
57 regulations and/or other criteria, as may be amended or  
58 supplemented from time to time, by the United States Department of  
59 the Treasury; and (b) determining that the recipient has not  
60 received and will not receive reimbursement for the expense in  
61 question from any source of funds, including insurance proceeds,  
62 other than those funds provided under Section 602 of the federal  
63 Social Security Act as added by Section 9901 of ARPA. In  
64 addition, the department shall ensure that all funds appropriated  
65 under this act are disbursed in compliance with the Single Audit  
66 Act (31 USC Sections 7501-7507) and the related provisions of the  
67 Uniform Guidance, 2 CFR Section 200.303 regarding internal  
68 controls, Sections 200.330 through 200.332 regarding subrecipient  
69 monitoring and management, and subpart F regarding audit  
70 requirements.



71           **SECTION 6.** (1) As a condition of receiving and expending  
72 the funds appropriated to the department under this act. The  
73 department shall certify to the Department of Finance and  
74 Administration that each expenditure of the funds appropriated to  
75 the department under this act complies with the guidelines,  
76 guidance, rules, regulations and/or other criteria, as may be  
77 amended from time to time, of the United States Department of the  
78 Treasury regarding the use of monies from the Coronavirus State  
79 Fiscal Recovery Fund established by ARPA.

80           (2) If the Office of Inspector General of the United States  
81 Department of the Treasury, or the Office of Inspector General of  
82 any other federal agency having oversight over the use of monies  
83 from the Coronavirus State Fiscal Recovery Fund established by  
84 ARPA (a) determines that the department or recipient has expended  
85 or otherwise used any of the funds appropriated to the department  
86 under this act for any purpose that is not in compliance with the  
87 guidelines, guidance, rules, regulations and/or other criteria, as  
88 may be amended from time to time, of the United States Department  
89 of the Treasury regarding the use of monies from the Coronavirus  
90 State Fiscal Recovery Fund established by ARPA, and (b) the State  
91 of Mississippi is required to repay the federal government for any  
92 of those funds that the Office of the Inspector General determined  
93 were expended or otherwise used improperly by the department or  
94 recipient, then the department or recipient that expended or  
95 otherwise used those funds improperly shall be required to pay the



96 amount of those funds to the State of Mississippi for repayment to  
97 the federal government.

98         **SECTION 7.** The department shall submit to the Joint  
99 Legislative Budget Committee by October 1 of each year an annual  
100 report. The reports shall contain a listing of the projects  
101 intended to be funded through this appropriation, the amount of  
102 funds allocated toward each project, the amount of funds expended  
103 on each project, and the status of each project.

104         **SECTION 8.** The money appropriated by this act shall be paid  
105 by the State Treasurer out of any money in the Coronavirus State  
106 Fiscal Recovery Fund not otherwise appropriated, upon warrants  
107 issued by the State Fiscal Officer; and the State Fiscal Officer  
108 shall issue his or her warrants upon requisitions signed by the  
109 proper person, officer or officers in the manner provided by law.

110         **SECTION 9.** This act shall take effect and be in force from  
111 and after its passage, and shall stand repealed on July 1, 2022.

