

House Amendments to Senate Bill No. 3116

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

6 **SECTION 1.** The following sum, or so much of it as may be
7 necessary, is appropriated out of any money in the Coronavirus
8 State Fiscal Recovery Fund not otherwise appropriated, to the
9 Department of Finance and Administration to assist destination
10 marketing organizations in paying for marketing activities as
11 provided in House Bill No. 419, 2023 Regular Session, for the
12 fiscal year beginning July 1, 2023, and ending June 30, 2024
13\$ 30,000,000.00.

14 **SECTION 2.** (1) As used in this section and Section 3 of
15 this act, the term "department" means the State Department of
16 Finance and Administration.

17 (2) The department shall not disburse any funds appropriated
18 under this act to any recipient without first: (a) making an
19 individualized determination that the expenditure sought is, in
20 the department's independent judgment, for necessary expenditures
21 eligible under Section 602 of the federal Social Security Act as
22 added by Section 9901 of the federal American Rescue Plan Act of

23 2021 (ARPA) and its implementing guidelines, guidance, rules,
24 regulations and/or other criteria, as may be amended or
25 supplemented from time to time, by the United States Department of
26 the Treasury; and (b) determining that the recipient has not
27 received and will not receive reimbursement for the expense in
28 question from any source of funds, including insurance proceeds,
29 other than those funds provided under Section 602 of the federal
30 Social Security Act as added by Section 9901 of ARPA. In
31 addition, the department shall ensure that all funds appropriated
32 under this act are disbursed in compliance with the Single Audit
33 Act (31 USC Sections 7501-7507) and the related provisions of the
34 Uniform Guidance, 2 CFR Section 200.303 regarding internal
35 controls, Sections 200.330 through 200.332 regarding sub-recipient
36 monitoring and management, and subpart F regarding audit
37 requirements.

38 **SECTION 3.** (1) As a condition of receiving and expending
39 the funds appropriated to the department under this act, the
40 department shall certify to the Department of Finance and
41 Administration that each expenditure of the funds appropriated to
42 the department under this act complies with the guidelines,
43 guidance, rules, regulations and/or other criteria, as may be
44 amended from time to time, of the United States Department of the
45 Treasury regarding the use of monies from the Coronavirus State
46 Fiscal Recovery Fund established by ARPA.

47 (2) If the Office of Inspector General of the United States
48 Department of the Treasury, or the Office of Inspector General of

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

65 **SECTION 4.** The money appropriated by this act shall be paid
66 by the State Treasurer out of any money in the Coronavirus State
67 Fiscal Recovery Fund not otherwise appropriated, upon warrants
68 issued by the State Fiscal Officer; and the State Fiscal Officer
69 shall issue his or her warrants upon requisitions signed by the
70 proper person, officer or officers in the manner provided by law.

71 **SECTION 5.** This act shall take effect and be in force from
72 and after July 1, 2023, and shall stand repealed on June 30, 2023.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE
2 AND ADMINISTRATION TO ASSIST DESTINATION MARKETING ORGANIZATIONS
3 IN PAYING FOR MARKETING ACTIVITIES AS PROVIDED IN HOUSE BILL NO.
4 419, 2023 REGULAR SESSION, FOR THE FISCAL YEAR 2024.

HR43\SB3116A.1J

Andrew Ketchings
Clerk of the House of Representatives