

Senate Amendments to House Bill No. 1716

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE 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:

7 **SECTION 1.** The following sum, or so much of it as may be
8 necessary, is appropriated out of any money in the Coronavirus
9 State Fiscal Recovery Fund not otherwise appropriated, to the
10 Department of Environmental Quality for the purpose of funding the
11 Mississippi Municipality and County Water Infrastructure Grant
12 Program established in Section 49-2-131, Mississippi Code of 1972,
13 for the period beginning on the passage of this act and ending
14 June 30, 2024.....\$ 41,000,000.00.

15 **SECTION 2.** (1) As used in this section and Section 3 of
16 this act, the term "department" means the Department of
17 Environmental Quality.

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

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

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

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

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

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

72 **SECTION 5.** This act shall take effect and be in force from
73 and after its passage.

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

1 AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT
2 OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF FUNDING THE
3 MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT
4 PROGRAM FOR THE PERIOD BEGINNING ON THE PASSAGE OF THIS ACT AND
5 ENDING JUNE 30, 2024.

SS26\HB1716A.J

Eugene S. Clarke
Secretary of the Senate