

By: Senator(s) Hopson, Butler

To: Appropriations

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2848

1 AN ACT TO AMEND SECTION 27-104-323, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT ANY INVESTMENT EARNINGS OR INTEREST EARNED ON  
3 AMOUNTS IN A CERTAIN SPECIAL FUND SHALL BE TRANSFERRED TO THE  
4 CREDIT OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO BRING  
5 FORWARD SECTION 49-2-131, MISSISSIPPI CODE OF 1972, WHICH IS THE  
6 PROVISION OF LAW THAT PROVIDES FOR THE MISSISSIPPI MUNICIPALITY  
7 AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM ACT OF 2022, FOR  
8 PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION  
9 41-3-16.1, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW  
10 THAT PROVIDES FOR THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE  
11 GRANT PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING  
12 FORWARD SECTION 41-9-371, MISSISSIPPI CODE OF 1972, WHICH IS THE  
13 PROVISION OF LAW THAT PROVIDES FOR THE MISSISSIPPI HOSPITAL  
14 SUSTAINABILITY GRANT PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT;  
15 TO BRING FORWARD SECTION 37-106-64, MISSISSIPPI CODE OF 1972,  
16 WHICH IS THE PROVISION OF LAW THAT PROVIDES FOR THE SKILLED  
17 NURSING HOME AND HOSPITAL NURSES RETENTION LOAN REPAYMENT PROGRAM,  
18 FOR PURPOSES OF POSSIBLE AMENDMENT; TO REQUIRE THE STATE FISCAL  
19 OFFICER TO DETERMINE THE AMOUNT OF CORONAVIRUS STATE FISCAL  
20 RECOVERY FUNDS APPROPRIATED TO VARIOUS AGENCIES THAT WILL NOT BE  
21 OBLIGATED AS OF NOVEMBER 1, 2024; TO REQUIRE THE STATE FISCAL  
22 OFFICER TO TRANSFER THE FUNDS THAT ARE NOT OBLIGATED BY NOVEMBER  
23 6, 2024, TO CERTAIN FUNDS; TO DIRECT THE STATE TREASURER, IN  
24 CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER CERTAIN  
25 SUMS TO THE CORONAVIRUS STATE FISCAL RECOVERY FUND FROM CERTAIN  
26 FUNDS; AND FOR RELATED PURPOSES.

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

28 **SECTION 1.** Section 27-104-323, Mississippi Code of 1972, is  
29 amended as follows:



30           27-104-323. (1) All funds received by or on behalf of the  
31 State of Mississippi through the Coronavirus Local Fiscal Recovery  
32 Fund in Section 9901 of the American Rescue Plan Act of 2021  
33 (Public Law No. 117-2) for distribution to nonentitlement units of  
34 local government shall be deposited into the Coronavirus Local  
35 Fiscal Recovery Fund created in subsection (2) of this section.

36           (2) There is created in the State Treasury a special fund to  
37 be designated as the "Coronavirus Local Fiscal Recovery Fund" to  
38 be administered by the Department of Finance and Administration.  
39 The special fund shall consist of funds required to be deposited  
40 into the special fund by subsection (1) of this section, funds  
41 appropriated or otherwise made available by the Legislature in any  
42 manner, and funds from any other source designated for deposit  
43 into the special fund. The Department of Finance and  
44 Administration shall distribute the funds to the nonentitlement  
45 units of local government in accordance with the Coronavirus Local  
46 Fiscal Recovery Fund in Section 9901 of the American Rescue Plan  
47 Act of 2021 (Public Law No. 117-2) and any applicable federal  
48 guidelines. Such funds shall only be used as provided in the  
49 Coronavirus Local Fiscal Recovery Fund in Section 9901 of the  
50 American Rescue Plan Act of 2021 (Public Law No. 117-2) or as  
51 authorized by federal rule or regulation or guidelines.

52           (3) Unexpended amounts remaining in the special fund at the  
53 end of a fiscal year shall not lapse into the State General Fund  
54 but shall remain in the Coronavirus Local Fiscal Recovery Fund.



55 Any investment earnings or interest earned on amounts in the  
56 special fund shall be \* \* \* transferred to the credit of the \* \* \*  
57 Coronavirus State Fiscal Recovery Fund.

58 **SECTION 2.** Section 49-2-131, Mississippi Code of 1972, is  
59 brought forward as follows:

60 49-2-131. (1) This section shall be known and may be cited  
61 as the "Mississippi Municipality and County Water Infrastructure  
62 Grant Program Act of 2022."

63 (2) There is hereby established within the Mississippi  
64 Department of Environmental Quality the Mississippi Municipality  
65 and County Water Infrastructure (MCWI) Grant Program under which  
66 municipalities, counties and certain public utilities not  
67 regulated by the Public Service Commission may apply until  
68 February 1, 2023, for reimbursable grants to make necessary  
69 investments in water, wastewater, and stormwater infrastructure to  
70 be funded by the Legislature utilizing Coronavirus State Fiscal  
71 Recovery Funds made available under the federal American Rescue  
72 Plan Act of 2021 (ARPA). Such grants shall be made available to  
73 municipalities and counties to be matched with the Coronavirus  
74 Local Fiscal Recovery Funds awarded or to be awarded to them under  
75 ARPA on a one-to-one matching basis. Coronavirus Local Fiscal  
76 Recovery Funds that a county transfers to a municipality or that a  
77 county or municipality transfers to a public utility not regulated  
78 by the Public Service Commission are eligible on a one-to-one  
79 matching basis. Municipalities that received less than One



80 Million Dollars (\$1,000,000.00) in the total allocation of  
81 Coronavirus Local Fiscal Recovery Funds are eligible for a  
82 two-to-one match only on the Coronavirus Local Fiscal Recovery  
83 Funds awarded or to be awarded to them under ARPA. The  
84 Mississippi Department of Environmental Quality shall only accept  
85 two (2) rounds of submissions under the Mississippi Municipality  
86 and County Water Infrastructure (MCWI) Grant Program. The second  
87 round of submissions shall be the final round. The dollar amount  
88 for professional fees that can be allocated as a part of a  
89 county's, municipality's or public utility's matching share is not  
90 to exceed four percent (4%) of the total project cost.

91 (3) For purposes of this section, unless the context  
92 requires otherwise, the following terms shall have the meanings  
93 ascribed herein:

94 (a) "MCWI Grant Program" means the Mississippi  
95 Municipality and County Water Infrastructure Grant Program.

96 (b) "ARPA" means the federal American Rescue Plan Act  
97 of 2021, Public Law 117-2, which amends Title VI of the Social  
98 Security Act.

99 (c) "State Recovery Funds" means Coronavirus State  
100 Fiscal Recovery Funds awarded through Section 602 of Title VI of  
101 the Social Security Act amended by Section 9901 of the federal  
102 American Rescue Plan Act of 2021, Public Law 117-2.

103 (d) "Local Recovery Funds" means Coronavirus Local  
104 Fiscal Recovery Funds awarded through Section 603 of Title VI of



105 the Social Security Act amended by Section 9901 of the federal  
106 American Rescue Plan Act of 2021, Public Law 117-2.

107 (e) "Department" means the Department of Environmental  
108 Quality.

109 (f) "Professional fees" means fees for the services of  
110 attorneys and engineering, surveying, and environmental studies.

111 (g) "Project" means the infrastructure improvements  
112 defined in an application that (i) complies with all requirements  
113 of ARPA, and (ii) is eligible for a grant award under this  
114 section.

115 (4) (a) On or before July 1, 2022, the Department of  
116 Environmental Quality shall promulgate rules and regulations  
117 necessary to administer the MCWI Grant Program prescribed under  
118 this section, including application procedures and deadlines. The  
119 department is exempt from compliance with the Mississippi  
120 Administrative Procedures Law in fulfilling the requirements of  
121 this section.

122 (b) The Department of Health shall advise the  
123 Mississippi Department of Environmental Quality regarding all such  
124 rules and regulations as related to the federal Safe Drinking  
125 Water Act.

126 (5) Funding under the MCWI Grant Program shall be allocated  
127 to projects certified by the Mississippi Department of  
128 Environmental Quality as eligible for federal funding, including,  
129 but not be limited to, the following:



- 130 (a) Construction of publicly owned treatment works;
- 131 (b) Projects pursuant to the implementation of a  
132 nonpoint source pollution management program established under the  
133 Clean Water Act (CWA);
- 134 (c) Decentralized wastewater treatment systems that  
135 treat municipal wastewater or domestic sewage;
- 136 (d) Management and treatment of stormwater or  
137 subsurface drainage water;
- 138 (e) Water conservation, efficiency, or reuse measures;
- 139 (f) Development and implementation of a conservation  
140 and management plan under the CWA;
- 141 (g) Watershed projects meeting the criteria set forth  
142 in the CWA;
- 143 (h) Energy consumption reduction for publicly owned  
144 treatment works;
- 145 (i) Reuse or recycling of wastewater, stormwater, or  
146 subsurface drainage water;
- 147 (j) Facilities to improve drinking water quality;
- 148 (k) Transmission and distribution, including  
149 improvements of water pressure or prevention of contamination in  
150 infrastructure and lead service line replacements;
- 151 (l) New sources to replace contaminated drinking water  
152 or increase drought resilience, including aquifer storage and  
153 recovery system for water storage;



154 (m) Storage of drinking water, such as to prevent  
155 contaminants or equalize water demands;

156 (n) Purchase of water systems and interconnection of  
157 systems;

158 (o) New community water systems;

159 (p) Culvert repair, resizing, and removal, replacement  
160 of storm sewers, and additional types of stormwater  
161 infrastructure;

162 (q) Dam and reservoir rehabilitation, if the primary  
163 purpose of dam or reservoir is for drinking water supply and  
164 project is necessary for the provision of drinking water;

165 (r) Broad set of lead remediation projects eligible  
166 under EPA grant programs authorized by the Water Infrastructure  
167 Improvements for the Nation (WIIN) Act; and

168 (s) Any eligible drinking water, wastewater or  
169 stormwater project through ARPA guidelines, guidance, rules,  
170 regulations and other criteria, as may be amended from time to  
171 time, by the United States Department of the Treasury.

172 (6) The governing authority of a municipality, county or  
173 public utility that is not regulated by the Public Service  
174 Commission may submit an application for grant funds under this  
175 section if the applicant is an operator-member of Mississippi 811,  
176 Inc., as defined in Section 77-13-3. Applicants shall certify to  
177 the department that each expenditure of the funds awarded to them  
178 under this section is in compliance with ARPA guidelines,



179 guidance, rules, regulations and other criteria, as may be amended  
180 from time to time, by the United States Department of the Treasury  
181 regarding the use of monies from the State Coronavirus State  
182 Fiscal Recovery Funds. Subsequent submissions will be due by the  
183 dates established by the department.

184 (7) An application for a grant under this section shall be  
185 submitted at such time, be in such form, and contain such  
186 information as the department prescribes. Each application for  
187 grant funds shall include the following at a minimum: (a)  
188 applicant contact information; (b) project description and type of  
189 project; (c) project map; (d) estimate of population affected by  
190 the project; (e) disadvantaged community criteria (population,  
191 median household income, unemployment, current water/sewer rates);  
192 (f) estimated project cost; (g) list of match funds of direct  
193 Coronavirus Local Fiscal Recovery Funds received and to be  
194 received from the federal government, a certification that such  
195 funds have been or will be used for the project detailed in the  
196 application, and documentation of commitment; (h) estimated  
197 project schedule and readiness to proceed; (i) engineering  
198 services agreement; (j) engineering reports; and (k) information  
199 about status of obtaining any required permits.

200 (8) The department must apply a system for use in ranking  
201 the grant applications received, unless the Legislature funds all  
202 eligible grant requests under the program. When applying the  
203 ranking system, the department shall apply a greater weight to





204 projects that have approved engineering/design, plans and permits  
205 if the department has deemed the project is ready to begin  
206 construction within six (6) months. Projects that are included on  
207 the municipal or county engineer's approved list and provide  
208 applicable supporting documentation shall receive additional  
209 consideration awarded to the application. The ranking system  
210 shall include the following factors, at a minimum: (a) the  
211 environmental impact of the proposed project; (b) the proposed  
212 project's ability to address noncompliance with state/federal  
213 requirements; (c) the extent to which the project promotes  
214 economic development; (d) the number of people served by the  
215 project and the number of communities the project serves; (e)  
216 impacts of the proposed project on disadvantaged/overburdened  
217 communities; (f) the grant applicant's prior efforts to secure  
218 funding to address the proposed project's objectives; (g) the  
219 grant applicant's proposed contribution of other funds or in-kind  
220 cost-sharing to the proposed project; (h) the grant applicant's  
221 long-term plans for the financial and physical operation and  
222 maintenance of the project; (i) the grant applicant's capacity to  
223 initiate construction in a timely manner and complete the proposed  
224 project by the deadline specified by the United States Department  
225 of Treasury rules for ARPA funds; (j) the extent to which the  
226 project benefits multiple political subdivisions in a regional  
227 manner; (k) the project's ability to enhance public service



228 infrastructure, including transportation and emergency access; and  
229 (1) any other factors as determined by the department.

230 (9) The grant program shall include a specific emphasis on  
231 addressing the needs of an economically disadvantaged community,  
232 including providing safe, reliable drinking water in areas that  
233 lack infrastructure, providing sewage treatment capacity in  
234 unsewered areas and providing regional development of  
235 infrastructure to serve multiple communities.

236 (10) Applications shall be reviewed and scored as they are  
237 received, unless the Legislature funds all eligible grant requests  
238 under the program. The Mississippi Department of Environmental  
239 Quality shall certify whether each project submitted is a  
240 "necessary investment" in water, wastewater, or stormwater  
241 infrastructure as defined in the American Rescue Plan Act and all  
242 applicable guidance issued by the United States Department of the  
243 Treasury. The Department of Environmental Quality shall review  
244 the lists of recommended water infrastructure projects and issue  
245 its list of recommended projects to the Mississippi Department of  
246 Health for its advice. Grant agreements shall be executed between  
247 the recipient and the Mississippi Department of Environmental  
248 Quality. All final awards shall be determined at the discretion  
249 of the executive director of the department. Any funds awarded to  
250 the City of Jackson under this section shall be deposited in the  
251 Capital City Water/Sewer Projects Fund of the State Treasury.  
252 Funds shall be obligated to a grantee upon the execution of a



253 grant agreement between the department and the approved applicant.  
254 Funds shall be made available to a grantee when the department  
255 obtains the necessary support for reimbursement. The department  
256 is authorized to conduct additional rounds of grants as needed;  
257 however, in the first round no more than forty percent (40%) of  
258 the total funds appropriated for each grant program may be awarded  
259 by the department, and the remaining funds may be awarded in the  
260 final round which shall occur no later than six (6) months from  
261 the previous round. To ensure equitable treatment between the  
262 categories of projects, no less than twenty percent (20%) awarded  
263 under this section shall be allocated to each of the three (3)  
264 categories of drinking water projects, wastewater projects and  
265 stormwater projects. In the final round, any funds not requested  
266 may be allocated to any category.

267 (11) Grant funds shall be used prospectively; however, grant  
268 funds may be used to reimburse expenses incurred before the  
269 enactment of this program if the costs are adequately documented  
270 and comply with applicable ARPA guidelines. An applicant must  
271 agree to obtain all necessary state and federal permits and follow  
272 all state bidding and contracting laws and fiscally sound  
273 practices in the administration of the funds.

274 (12) (a) Monies must be disbursed under this section in  
275 compliance with the guidelines, guidance, rules, regulations or  
276 other criteria, as may be amended from time to time, of the United  
277 States Department of the Treasury regarding the use of monies from



278 the Coronavirus State Fiscal Recovery Fund, established by the  
279 American Rescue Plan of 2021.

280 (b) The use of funds allocated under this program shall  
281 be subject to audit by the United States Department of the  
282 Treasury's Office of Inspector General and the Mississippi Office  
283 of the State Auditor. Each person receiving funds under these  
284 programs found to be fully or partially noncompliant with the  
285 requirements in this section shall return to the state all or a  
286 portion of the funds received.

287 (13) The department shall submit to the Lieutenant Governor,  
288 Speaker of the House, House and Senate Appropriations Chairmen,  
289 and the Legislative Budget Office quarterly reports and annual  
290 reports that are due by the dates established in the Compliance  
291 and Reporting Guidance by the United States Department of  
292 Treasury. The reports shall contain the applications received,  
293 the score of the applications, the amount of grant funds awarded  
294 to each applicant, the amount of grant funds expended by each  
295 applicant, and status of each applicant's project. The score of  
296 the applications is not required if the award was provided in the  
297 final round of grants and the Legislature provided the total  
298 amount of funds for all eligible grant requests.

299 (14) Grant funds shall be available under this section  
300 through December 31, 2026, or on the date of the fund expenditure  
301 deadline provided by the federal government, whichever occurs  
302 later. Each grant recipient shall certify for any project for



303 which a grant is awarded that if the project is not completed by  
304 December 31, 2026, and the United States Congress does not enact  
305 an extension of the deadline on the availability of ARPA funds,  
306 then the grant recipient will complete the project through other  
307 funds.

308 (15) The Mississippi Department of Environmental Quality may  
309 retain an amount not to exceed five percent (5%) of the total  
310 funds allocated to the program to defray administrative costs.

311 (16) The department shall be exempt from provisions of the  
312 Public Procurement Review Board for any requirements of personal  
313 or professional service contracts or the pre-approval of the  
314 solicitation for such contracts used in the execution of its  
315 responsibilities under this section. This subsection shall stand  
316 repealed on January 1, 2026.

317 (17) The provisions of this section shall stand repealed on  
318 January 1, 2027.

319 **SECTION 3.** Section 41-3-16.1, Mississippi Code of 1972, is  
320 brought forward as follows:

321 41-3-16.1. (1) (a) The State Department of Health  
322 (department) shall establish a grant program to be known as the  
323 ARPA Rural Water Associations Infrastructure Grant Program  
324 (program) to assist rural water associations and entities in the  
325 construction of eligible drinking water infrastructure projects as  
326 provided in the Final Rule for the Coronavirus State and Local



327 Fiscal Recovery Funds as established by the federal American  
328 Rescue Plan Act (ARPA).

329 (b) Rural water associations and any entity that  
330 received funding under the ARPA Rural Water Associations  
331 Infrastructure Grant Program or the Mississippi Municipality and  
332 County Water Infrastructure (MCWI) Grant Program before April 14,  
333 2023, shall be ineligible for additional grants under this  
334 section.

335 (2) The program shall be funded from appropriations by the  
336 Legislature to the department from the Coronavirus State Fiscal  
337 Recovery Fund, and the department shall expend all such funds for  
338 the purposes provided in subsection (1) of this section.

339 (3) The department shall obligate the funds by the deadline  
340 set by the rules and guidelines of the United States Department of  
341 the Treasury and will adhere to the Treasury's rules and  
342 guidelines for reporting and monitoring projects funded through  
343 ARPA.

344 (4) (a) The department shall develop a system for use in  
345 ranking the grant applications received. The ranking system shall  
346 include the following factors, at a minimum: (a) the  
347 environmental impact of the proposed project; (b) the proposed  
348 project's ability to address noncompliance with state/federal  
349 requirements; (c) the extent to which the project promotes  
350 economic development; (d) the number of people served by the  
351 project (both new and existing users); (e) impacts of the proposed



352 project on disadvantaged/ overburdened communities; (f) the grant  
353 applicant's prior efforts to secure funding to address the  
354 proposed project's objectives; (g) the grant applicant's proposed  
355 contribution of other funds or in-kind cost-sharing to the  
356 proposed project; (h) the grant applicant's long-term plans for  
357 the financial and physical operation and maintenance of the  
358 project; and (i) the grant applicant's capacity to initiate  
359 construction in a timely manner and complete the proposed project  
360 by the deadline specified by rules and guidelines of the United  
361 States Department of the Treasury for ARPA funds.

362 (b) For the second round of grant awards, the  
363 department shall apply a greater weight to grant applications that  
364 promote consolidation of separate systems. In order to receive  
365 the additional weight, the systems that will consolidate shall be  
366 in a proximity of each other as determined by the department.

367 (c) In addition to the points awarded under paragraph  
368 (b) of this subsection, an additional ten (10) points shall be  
369 added to any application with at least one (1) system that has  
370 consolidated after January 1, 2018, and before application to this  
371 program and is otherwise eligible under this section.

372 (5) An application for a grant under this section shall be  
373 submitted at such time, be in such form, and contain such  
374 information as the department prescribes.

375 (6) (a) Upon the approval of an application for a grant  
376 under this section, the department shall enter into a project



377 grant agreement with each grantee to establish the terms of the  
378 grant for the project, including the amount of the grant.

379 (b) (i) For the first award of grants, the maximum  
380 amount of funds that may be provided to any rural water  
381 association or entity from all grants under the program is Two  
382 Million Five Hundred Thousand Dollars (\$2,500,000.00).

383 (ii) For the second round of grant awards, the  
384 maximum amount of funds that may be provided to any eligible  
385 association or entity from all grants under the program is Two  
386 Million Dollars (\$2,000,000.00).

387 (c) Associations or entities that received funding  
388 under the first round of grant awards for this program or received  
389 funding in the Mississippi Municipality and County Water  
390 Infrastructure Grant Program Act of 2022 are ineligible to receive  
391 funding under the second round.

392 (7) The department shall have all powers necessary to  
393 implement and administer the program. Of the funds appropriated  
394 to the department for the program, not more than five percent (5%)  
395 may be used by the department to cover the department's costs of  
396 administering the program.

397 (8) In carrying out its responsibilities under the program,  
398 for any contract under the purview of the Public Procurement  
399 Review Board (PPRB), the department shall be exempt from any  
400 requirement that the PPRB approve any personal or professional





401 services contracts or pre-approve any solicitation of such  
402 contracts. This subsection shall stand repealed on July 1, 2026.

403 (9) The department shall submit an annual report regarding  
404 the program no later than December 31 of each year to the  
405 Lieutenant Governor, the Speaker of the House, and the Chairmen of  
406 the Senate and House Appropriations Committees.

407 (10) For the purposes of this section, "entity" means:

408 (a) Any entity operating as a rural water association,  
409 regardless of whether such entities were user created, were  
410 initially organized not for profit, or have been granted  
411 tax-exempt status under state or federal law.

412 (b) Any nonprofit water or sewer provider not owned by  
413 the municipality or county and are not a Rural Water Association.

414 (c) Any entity eligible under this program shall be  
415 currently operating as a not-for-profit entity.

416 (d) "Entity" under this subsection does not include any  
417 state agency. No state agency shall be eligible under this  
418 program.

419 **SECTION 4.** Section 41-9-371, Mississippi Code of 1972, is  
420 brought forward as follows:

421 41-9-371. (1) There is established the Mississippi Hospital  
422 Sustainability Grant Program which shall be administered by the  
423 State Department of Health.

424 (2) In order to strengthen, improve and preserve access to  
425 Mississippi hospital care services for all Mississippians and in



426 recognition of the challenges incurred by Mississippi hospitals as  
427 a result of the COVID-19 pandemic, funds from the program shall be  
428 distributed, upon appropriation by the Legislature, to each  
429 hospital licensed by the State of Mississippi, except for  
430 hospitals operated by the United States Department of Veterans  
431 Affairs and hospitals operated by the State Department of Mental  
432 Health. Licensed specialty hospitals that are recognized as such  
433 by the State Department of Health, except for those excluded under  
434 this subsection, are eligible for grants under the program.

435 (3) The department shall distribute grants to each eligible  
436 hospital based upon the following formula:

437 (a) Each hospital that has fewer than one hundred (100)  
438 licensed beds and that is not classified as a critical access  
439 hospital that operates an emergency department shall be eligible  
440 to receive Six Hundred Twenty-five Thousand Dollars (\$625,000.00)  
441 to defray the costs of providing emergency department services.

442 (b) Each rural hospital that has fewer than one hundred  
443 (100) licensed beds and that is classified as a critical access  
444 hospital that operates an emergency department shall be eligible  
445 to receive Five Hundred Thousand Dollars (\$500,000.00) to defray  
446 the costs of providing emergency department services.

447 (c) Each hospital that operates an emergency department  
448 and that has more than one hundred (100) licensed beds shall be  
449 eligible to receive One Million Dollars (\$1,000,000.00).



450 (d) Each hospital with fewer than two hundred (200)  
451 licensed beds with the majority of such beds being dedicated to  
452 providing specialty services such as women's health services,  
453 long-term acute care, rehabilitation or psychiatric services shall  
454 be eligible to receive Five Hundred Thousand Dollars  
455 (\$500,000.00).

456 (e) Each rural hospital with fewer than one hundred  
457 (100) licensed beds with no emergency department shall be eligible  
458 to receive Three Hundred Thousand Dollars (\$300,000.00) to defray  
459 the costs of providing access to hospital care in rural  
460 communities.

461 (f) In addition to the funds provided in paragraphs (a)  
462 through (e) of this subsection, each small rural hospital with  
463 fifty (50) beds or less which operated an emergency department  
464 shall be eligible to receive Two Hundred Fifty Thousand Dollars  
465 (\$250,000.00) to defray the costs of providing access to hospital  
466 care in rural communities.

467 (g) In addition to the funds distributed in paragraphs  
468 (a) through (c) and (e) through (f) of this subsection, any  
469 remaining funds appropriated for the purposes of this grant  
470 program shall be distributed to hospitals receiving funds in  
471 paragraphs (a) through (c) and (e) through (f) of this subsection  
472 on a pro rata amount by dividing the total amount of the remaining  
473 funds by the number of licensed beds attributable to all licensed  
474 Mississippi hospitals except for licensed beds attributable to



475 hospitals described in paragraph (d) of this subsection and for  
476 licensed beds attributable to hospitals operated by the United  
477 States Department of Veterans Affairs and hospitals operated by  
478 the State Department of Mental Health and determining a dollar  
479 amount for each bed, and then multiplying that dollar amount by  
480 the number of licensed beds of that hospital.

481 (4) The department shall adopt such reasonable rules as  
482 necessary for the administration of the program, but shall not  
483 place additional qualification requirements on hospitals other  
484 than the minimum requirements in this section.

485 (5) The Mississippi Hospital Association shall form a work  
486 group to review the delivery of hospital services in Mississippi  
487 and shall make recommendations regarding the changes needed to  
488 sustain access to hospital care to the Lieutenant Governor,  
489 Speaker of the House, Chairmen of the House and Senate Public  
490 Health Committees with copies to the Governor and the State Health  
491 Officer.

492 **SECTION 5.** Section 37-106-64, Mississippi Code of 1972, is  
493 brought forward as follows:

494 37-106-64. (1) There is established the "Skilled Nursing  
495 Home and Hospital Nurses Retention Loan Repayment Program" for new  
496 nursing graduates to be administered by the Mississippi  
497 Postsecondary Education Financial Assistance Board.

498 (2) Subject to the availability of funds, an eligible  
499 applicant for an initial award must have:



500 (a) Legal residency in the State of Mississippi;  
501 (b) Gained employment within the last year for the  
502 first time as a full-time licensed practical nurse or licensed  
503 registered nurse at a skilled nursing home in the State of  
504 Mississippi or a general acute care hospital in the State of  
505 Mississippi that is licensed by the Mississippi State Department  
506 of Health;

507 (c) A current relevant Mississippi professional  
508 license; and

509 (d) Outstanding qualifying educational loans, received  
510 at any point during the recipients postsecondary education career,  
511 which may include the principal, interest and related expenses  
512 such as the required interest premium on the unpaid balances of  
513 government and commercial loans obtained by the recipient for  
514 educational expense.

515 (3) Persons who have received funds from state-forgivable  
516 loan programs established under Mississippi law, or who are in  
517 default or delinquent on any federal, state, local or commercial  
518 qualifying educational loan, shall not be eligible for this  
519 program.

520 (4) Recipients in the program shall be selected on a  
521 first-come, first-served basis from all eligible applicants. The  
522 Mississippi Postsecondary Education Financial Assistance Board  
523 shall renew eligible applicants approved in prior years only if  
524 the renewal applicant continues to meet the standards set forth in



525 this act, and the renewal applicant has not received full funding  
526 provided by this subsection (4).

527 (5) Awards for recipients who are employed at a skilled  
528 nursing home or a licensed general acute care hospital in the  
529 state may be a maximum of Six Thousand Dollars (\$6,000.00) for  
530 each year of employment up to three (3) years.

531 (6) A recipient shall not be penalized for ending employment  
532 at a skilled nursing home or a licensed general acute care  
533 hospital in the State of Mississippi if the recipient begins  
534 working for another skilled nursing home or licensed general acute  
535 care hospital in the State of Mississippi during the year on which  
536 the award is based.

537 (7) Awards shall be granted on a year-to-year basis, and  
538 recipients have no obligation to seek a subsequent award.

539 (8) Awards shall be paid annually, after the expiration of  
540 the year of employment for which the award was granted, to the  
541 recipient's lender or loan service provider, to be applied to the  
542 outstanding balance. Monies paid by the recipient or on the  
543 recipient's behalf toward qualifying educational loans before  
544 payment of the award shall not be eligible for reimbursement  
545 through the program.

546 (9) During the employment year for which the award is  
547 granted, a recipient shall at all times keep the State Financial  
548 Aid Board informed of any changes to the recipient's current,  
549 correct and complete employment information and status.



550 (10) Recipients who fail to maintain a relevant Mississippi  
551 professional license or fail to fulfill the year of employment on  
552 which the award was based forfeit any right to the award.

553 (11) The Mississippi Postsecondary Education Financial  
554 Assistance Board, in collaboration with the State Board of Nursing  
555 and any other applicable state agency as determined by the  
556 Mississippi Postsecondary Education Financial Assistance Board,  
557 shall attempt to track award recipients under this program through  
558 their third employment year, unless the recipient leaves  
559 employment at a skilled nursing home or a licensed general acute  
560 care hospital in the state at an earlier date. Data collected  
561 shall include each recipients' place of employment and any other  
562 pertinent information necessary to determine the efficacy of the  
563 program in retaining nurses in skilled nursing homes or licensed  
564 general acute care hospitals in the State of Mississippi.

565 (12) The Mississippi Postsecondary Education Financial  
566 Assistance Board shall promulgate regulations necessary for the  
567 proper administration of this section, including setting a fiscal  
568 year policy for the program and application dates and deadlines.

569 (13) This section shall stand repealed on July 1, 2027.

570 **SECTION 6.** (1) (a) The State Fiscal Officer shall  
571 determine the amount of Coronavirus State Fiscal Recovery Funds  
572 appropriated to various agencies that will not be obligated as of  
573 November 1, 2024.



574 (b) In making the determination required by this  
575 subsection, the State Fiscal Officer shall use the criteria  
576 released by the United States Treasury to determine if the  
577 Coronavirus State Fiscal Recovery Funds are not obligated.

578 (2) If at any time during the period from passage of this  
579 act to November 1, 2024, a state agency determines that  
580 Coronavirus State Fiscal Recovery Funds will not be obligated by  
581 November 1, 2024, the state agency shall notify the State Fiscal  
582 Officer.

583 (3) If at any time the State Fiscal Officer determines that  
584 funds will be unobligated as of November 1, 2024, under subsection  
585 (1) or (2) of this section, the State Treasurer, in coordination  
586 with the State Fiscal Officer, shall transfer these funds to the  
587 Coronavirus State Fiscal Recovery Fund (Fund No. 682111300) by no  
588 later than November 5, 2024. No later than November 6, 2024, the  
589 State Treasurer, in conjunction with the State Fiscal Officer,  
590 shall transfer the funds to the following funds:

591 **SECTION 7.** Upon the effective date of this act, the State  
592 Treasurer, in conjunction with the State Fiscal Officer, shall  
593 transfer to the Coronavirus State Fiscal Recovery Fund (Fund No.  
594 6821113000) from the following named funds the following sums:

| 595 | FUND                  | FUND NUMBER | AMOUNT           |
|-----|-----------------------|-------------|------------------|
| 596 | Mississippi Municipal |             |                  |
| 597 | and County Water      |             |                  |
| 598 | Infrastructure Fund   | 6822147000  | \$ 28,557,785.00 |





|     |                             |            |                  |
|-----|-----------------------------|------------|------------------|
| 599 | ARPA-Mississippi            |            |                  |
| 600 | Independent School          |            |                  |
| 601 | Infra Grant Fund            | 6822113400 | \$ 10,000,000.00 |
| 602 | Mississippi Hospital        |            |                  |
| 603 | Sustainability              |            |                  |
| 604 | Grant Program Fund          | 6822130500 | \$ 36,458,878.00 |
| 605 | MDCPS American Rescue       |            |                  |
| 606 | Plan Act Fund               | 6822166100 | \$ 15,607,348.00 |
| 607 | Trial Judges-ARPA 2021-     |            |                  |
| 608 | (CPS) Fund                  | 6822105100 | \$ 1,500,000.00  |
| 609 | MH SB Corona State Fiscal   |            |                  |
| 610 | Rec Funds ARPA Fund         | 6822437100 | \$ 29,384,500.00 |
| 611 | MH CO Corona State Fiscal   |            |                  |
| 612 | Rec Funds ARPA Fund         | 6822337100 | \$ 18,250,000.00 |
| 613 | Trial Judges-ARPA 2021-     |            |                  |
| 614 | Temporary Courts Fund       | 6822105200 | \$ 1,589,094.00  |
| 615 | Mississippi Law Enforcement |            |                  |
| 616 | and Fire Fighters           |            |                  |
| 617 | Premium Pay Fund            | 6822171100 | \$ 3,448,580.00  |
| 618 | TOTAL                       |            | \$144,796,185.00 |

619       **SECTION 8.** This act shall take effect and be in force from  
620 and after July 1, 2024, and shall stand repealed on June 30, 2024.

