

By: Senator(s) Hopson, Polk, Branning

To: Appropriations

SENATE BILL NO. 3163

1 AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE
2 CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF
3 FINANCE AND ADMINISTRATION FOR ADMINISTRATION AND REPORTING
4 EXPENSES ALLOWABLE UNDER THE AMERICAN RESCUE PLAN ACT FOR THE
5 PERIOD BEGINNING ON PASSAGE AND ENDING ON JUNE 30, 2025.

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

7 **SECTION 1.** The following sum, or so much thereof as may be
8 necessary, is appropriated out of any money not otherwise
9 appropriated to the credit of the Coronavirus State Fiscal
10 Recovery Fund, and allocated in a manner as determined by the
11 Treasurer's Office, to the Department of Finance and
12 Administration for the purpose of defraying administrative and
13 reporting expenses for the period beginning on passage, and ending
14 June 30, 2025.....\$ 20,000,000.00.

15 This additional appropriation is for the purpose of defraying
16 eligible administration and reporting expenses related to the
17 Coronavirus State Fiscal Recovery Funds incurred on or after March
18 3, 2021, through the final expenditure date as determined by the
19 U.S. Treasury.



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

22 **SECTION 3.** (1) As used in this section and Section 4 of
23 this act, the term "department" means the Department of Finance
24 and Administration.

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



44 monitoring and management, and subpart F regarding audit
45 requirements.

46 **SECTION 4.** (1) As a condition of receiving and expending
47 the funds appropriated to the department under this act, the
48 department shall certify that each expenditure of the funds
49 appropriated to the department under this act complies with the
50 guidelines, guidance, rules, regulations and/or other criteria, as
51 may be amended from time to time, of the United States Department
52 of the Treasury regarding the use of monies from the Coronavirus
53 State Fiscal Recovery Fund established by ARPA.

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



69 otherwise used those funds improperly shall be required to pay the
70 amount of those funds to the State of Mississippi for repayment to
71 the federal government.

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

78 **SECTION 6.** This act shall take effect and be in force from
79 and after its passage, and shall stand repealed on the day before
80 its passage.

