

By: Senator(s) Whaley, Blackwell To: Appropriations

SENATE BILL NO. 2001

1 AN ACT TO CREATE THE PROJECT POPPY FUND AS A SPECIAL FUND IN
 2 THE STATE TREASURY FOR THE PURPOSE OF PROVIDING GRANTS OR LOANS TO
 3 FUND CERTAIN PROJECTS, AS DEFINED IN SECTION 57-75-5(f) (xxxii),
 4 MISSISSIPPI CODE OF 1972, FOR THE MANUFACTURE AND ASSEMBLY OF
 5 BATTERY CELLS FOR ELECTRIC COMMERCIAL VEHICLES AND INDUSTRIAL
 6 APPLICATIONS, CERTAIN OTHER INDUSTRIAL FACILITIES AND RELATED PORT
 7 IMPROVEMENT PROJECTS; TO PROVIDE THAT MONIES APPROPRIATED OUT OF
 8 THE FUND MAY BE USED TO REIMBURSE ACTUAL OVERSIGHT COSTS AND
 9 ENGINEERING EXPENSES UP TO A CERTAIN AMOUNT; TO REQUIRE THE
 10 MISSISSIPPI DEVELOPMENT AUTHORITY TO FILE A REPORT ON THE FUND TO
 11 CERTAIN PUBLIC OFFICIALS; TO DIRECT THE STATE TREASURER, IN
 12 CONJUNCTION WITH THE STATE FISCAL OFFICER, TO TRANSFER FUNDS OUT
 13 OF THE CAPITAL EXPENSE FUND TO THE PROJECT POPPY FUND CREATED IN
 14 THIS ACT; AND FOR RELATED PURPOSES.

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

16 **SECTION 1.** (1) There is created a special fund in the State
 17 Treasury to be known as the "Project Poppy Fund" which shall
 18 consist of monies from any source designated for deposit into the
 19 fund. Unexpended amounts remaining in the fund at the end of a
 20 fiscal year shall not lapse into the State General Fund, and any
 21 investment earnings or interest earned on amounts in the fund
 22 shall be deposited to the credit of the fund.

23 (2) (a) Monies in the fund shall be disbursed by the
 24 Mississippi Development Authority for the purpose of providing



25 grants or loans to fund certain projects, as defined in Section
26 57-75-5(f) (xxxii), Mississippi Code of 1972, for the manufacture
27 and assembly of battery cells for electric commercial vehicles and
28 industrial applications. Any state agency that receives funds
29 from the Mississippi Development Authority for certain projects,
30 as defined in Section 57-75-5(f) (xxxii), may accept, budget,
31 receive and expend these funds in accordance with rules and
32 regulations of the Department of Finance and Administration in the
33 manner consistent with the escalation of federal funds.

34 (b) In addition to the purposes in paragraph (a) of
35 this subsection, monies appropriated out of the fund may be used
36 to reimburse reasonable actual and necessary oversight costs and
37 engineering expenses incurred by the Mississippi Development
38 Authority in providing grants or loans under this section. The
39 Mississippi Development Authority shall maintain an accounting of
40 actual costs and expenses incurred for which reimbursement is
41 sought for each grant or loan. Reimbursement of reasonable actual
42 and necessary costs and expenses for assistance shall not exceed
43 one and twenty-five one-hundredths percent (1.25%) of the monies
44 appropriated out of the fund. Reimbursements made under this
45 paragraph shall satisfy any applicable federal tax law
46 requirements.

47 (3) On or before January 5 of each year, the Mississippi
48 Development Authority shall file an accounting of and report on
49 funds disbursed from the Project Poppy Fund, including an



50 accounting of the actual costs and expenses incurred by the
51 Mississippi Development Authority and the number and amount of
52 grants and loans. The report shall be filed with the Speaker of
53 the House, the Lieutenant Governor, the Chairs of the
54 Appropriations Committees of the Senate and the House, the Chair
55 of the Finance Committee of the Senate, the Chair of the Ways and
56 Means Committee of the House and the Governor.

57 **SECTION 2.** Upon the effective date of this act, the State
58 Treasurer, in conjunction with the State Fiscal Officer, shall
59 transfer the sum of One Hundred Seventeen Million Six Hundred
60 Fourteen Thousand Dollars (\$117,614,000.00) from the Capital
61 Expense Fund (Fund No. 6499C00000) to the Project Poppy Fund
62 created in Section 1 of this act.

63 **SECTION 3.** This act shall take effect and be in force from
64 and after its passage.

