

House Amendments to Senate Bill No. 2543

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:

60 **SECTION 1.** Section 27-104-321, Mississippi Code of 1972, is
61 brought forward as follows:

62 27-104-321. (1) All funds received by or on behalf of the
63 State of Mississippi through the Coronavirus State Fiscal Recovery
64 Fund in Section 9901 of the American Rescue Plan Act of 2021
65 (Public Law No. 117-2) shall be deposited into the Coronavirus
66 State Fiscal Recovery Fund created in subsection (2) of this
67 section.

68 (2) There is created in the State Treasury a special fund to
69 be designated as the "Coronavirus State Fiscal Recovery Fund."
70 The special fund shall consist of funds required to be deposited
71 into the special fund by subsection (1) of this section, funds
72 appropriated or otherwise made available by the Legislature in any
73 manner, and funds from any other source designated for deposit
74 into the special fund. Monies in the fund shall only be spent
75 upon appropriation by the Legislature and shall only be used as
76 provided in the Coronavirus State Fiscal Recovery Fund in Section

9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus State Fiscal Recovery Fund. Any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

SECTION 2. Section 27-104-323, Mississippi Code of 1972, is brought forward as follows:

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

(2) There is created in the State Treasury a special fund to be designated as the "Coronavirus Local Fiscal Recovery Fund" to be administered by the Department of Finance and Administration. The special fund shall consist of funds required to be deposited into the special fund by subsection (1) of this section, funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit into the special fund. The Department of Finance and Administration shall distribute the funds to the nonentitlement units of local government in accordance with the Coronavirus Local

Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) and any applicable federal guidelines. Such funds shall only be used as provided in the Coronavirus Local Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus Local Fiscal Recovery Fund. The State Fiscal Officer shall transfer to the Coronavirus State Fiscal Recovery Fund the full amount of any investment earnings or interest earned on amounts in the Coronavirus Local Fiscal Recovery Fund that are remaining in the Coronavirus Local Fiscal Recovery Fund on July 1, 2024. Any investment earnings or interest earned on amounts in the Coronavirus Local Fiscal Recovery Fund after July 1, 2024, shall be deposited to the credit of the Coronavirus State Fiscal Recovery Fund created in Section 27-104-321.

(4) The State Fiscal Officer is authorized, in his or her discretion, to transfer to the federal government any funds in the Coronavirus Local Fiscal Recovery Fund that have not been used for the purpose for which they were received.

SECTION 3. Section 27-104-325, Mississippi Code of 1972, is brought forward as follows:

27-104-325. There is created in the State Treasury a special fund to be designated as the "Coronavirus State Fiscal Recovery

Lost Revenue Fund", which shall consist of funds calculated based on a reduction in the state's general revenue due to the coronavirus public health emergency, made available through the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and transferred into the fund by act of the Legislature. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, for the purpose of providing government services.

SECTION 4. Section 37-106-64, Mississippi Code of 1972, is brought forward as follows:

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

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

- (a) Legal residency in the State of Mississippi;
- (b) Gained employment as a full-time licensed practical nurse or licensed registered nurse at a skilled nursing home in the State of Mississippi or a general acute care hospital in the

State of Mississippi that is licensed by the Mississippi State Department of Health;

(c) A current relevant Mississippi professional license; and

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

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

(4) Recipients in the program shall be selected on a first-come, first-served basis from all eligible applicants. The Mississippi Postsecondary Education Financial Assistance Board shall renew eligible applicants approved in prior years only if the renewal applicant continues to meet the standards set forth in this section, and the renewal applicant has not received full funding provided by this subsection (4).

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

181 (6) A recipient shall not be penalized for ending employment
182 at a skilled nursing home or a licensed general acute care
183 hospital in the State of Mississippi if the recipient begins
184 working for another skilled nursing home or licensed general acute
185 care hospital in the State of Mississippi during the year on which
186 the award is based.

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

189 (8) Awards shall be paid annually, after the expiration of
190 the year of employment for which the award was granted, to the
191 recipient's lender or loan service provider, to be applied to the
192 outstanding balance. Monies paid by the recipient or on the
193 recipient's behalf toward qualifying educational loans before
194 payment of the award shall not be eligible for reimbursement
195 through the program.

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

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

203 (11) The Mississippi Postsecondary Education Financial
204 Assistance Board, in collaboration with the State Board of Nursing
205 and any other applicable state agency as determined by the
206 Mississippi Postsecondary Education Financial Assistance Board,

shall attempt to track award recipients under this program through their third employment year, unless the recipient leaves employment at a skilled nursing home or a licensed general acute care hospital in the state at an earlier date. Data collected shall include each recipients' place of employment and any other pertinent information necessary to determine the efficacy of the program in retaining nurses in skilled nursing homes or licensed general acute care hospitals in the State of Mississippi.

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

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

SECTION 5. Section 37-153-57, Mississippi Code of 1972, is brought forward as follows:

37-153-57. (1) There is established the Accelerate Mississippi Workforce Development Program, which shall be directed by the office for the purpose of providing education and training to citizens seeking employment in high-wage, high-demand industries in the state, including, but not limited to, the nursing and healthcare fields, which were impacted by the disruption to the economy and workforce caused by COVID-19. This program shall be subject to the availability of funds appropriated by the Legislature using Coronavirus State Fiscal Recovery Funds made available under ARPA or any other funds appropriated by the Legislature.

(2) As used in this section, the following words have the meanings ascribed unless the context requires otherwise:

(a) "Recipient" means a community college, institution of higher learning, or trainee recipient of grant funding under this section.

(b) "Trainee" means an individual receiving training or other services through programs under this article with the goal of becoming employed in a high-wage, high-demand industry.

(c) "High-wage, high-demand industry" means those industries paying above Mississippi's median annual income and prioritized by the office and the four (4) local workforce areas.

(d) "Eligible expenses" means a cost incurred by a recipient, pursuant to this article, to include:

(i) Necessary equipment or other supplies;

(ii) Curricula or other academic or training materials;

(iii) Remote learning or other classroom technology;

(iv) Stipends for teaching staff or faculty for workforce development programs;

(v) Trainee support, including tuition expenses and childcare or transportation assistance;

(vi) Coaching or mentoring services;

(vii) Job placement services;

(viii) Apprenticeship programs; and

(ix) Recruitment programs.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) A detailed explanation of the program the applicant intends to use awarded funds to create or expand, including:

(i) A description of the high-wage, high-demand field or workforce shortage area the program is intended to address;

(ii) The number of trainees who will be served by the program; and

(iii) The average wage rate for trainees receiving employment after completing the program;

(b) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(c) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(d) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as

supplemental matching funds to offset the total cost of the approved program will be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize high-wage, high-skill industries, including, but not limited to, nursing jobs or other jobs within the healthcare field; and

(d) Coordinate with the Department of Employment Security to share information to identify individuals who were furloughed, unemployed, underemployed or otherwise displaced due to COVID-19.

(7) The office may use a maximum of two percent (2%) of funds allocated for this article for the administration of the grant program, to the extent permissible under federal law.

SECTION 6. Section 37-153-59, Mississippi Code of 1972, is brought forward as follows:

37-153-59. (1) There is established the Mississippi Health Sciences Training Infrastructure Grant Program, the purpose of which is to provide a reimbursable grant for primary care health sciences training infrastructure at any osteopathic medical school in Mississippi that is accredited by the Commission on Osteopathic College Accreditation (COCA) of the American Osteopathic Association (AOA). This program shall be subject to the

availability of funds appropriated by the Legislature using
Coronavirus State Fiscal Recovery Funds made available under ARPA
or any other funds appropriated by the Legislature.

(2) As used in this section, the following words have the
meanings ascribed unless the context requires otherwise:

(a) "Applicant" means any osteopathic medical school in
Mississippi that is accredited by the Commission on Osteopathic
College Accreditation (COCA) of the American Osteopathic
Association (AOA).

(b) "Health sciences training infrastructure" means any
infrastructure that is eligible under ARPA that assists with the
training of health sciences students to increase their interest
and encourage their pursuit of careers in primary care.

(3) On or before July 1, 2022, the office shall promulgate
rules and regulations necessary to administer the Mississippi
Health Sciences Training Infrastructure Grant Program prescribed
under this section, including application procedures and
deadlines. The Department of Finance and Administration, Bureau
of Building, Grounds and Real Property Management, is authorized
and directed to advise the office regarding all such rules and
regulations.

(4) The office shall receive applications submitted by the
applicants, which shall include, but not be limited to, the
following:

(a) A detailed description and the cost of the health
sciences training infrastructure requested;

(b) The number of students currently trained at the applicant's school that pursue graduate medical education in primary care;

(c) A certification that the health sciences training infrastructure meets the guidelines of ARPA and its implementing guidelines, guidance, rules, regulations and other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and all applicable guidance issued by the department; and

(d) Any additional requirements set by the office.

(5) Applications shall be reviewed and scored by the office. The office shall certify that each application submitted is an allowable expense as defined in ARPA and all applicable guidance issued by the department. The Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management, is authorized and directed to advise the office as to the estimated cost and eligibility of the projects. The office shall award the grants to the applicants based on what projects the office determines has the most significant impact on increasing student access to primary care training opportunities. A grant agreement shall be executed between the applicant and the office. All final awards will be determined at the discretion of the executive director of the office. Funds shall be made available to an applicant upon the execution of a grant agreement between the office and the approved applicants. The office shall provide these funds to the applicants on a reimbursable basis

after receiving support for expenses and determining that they meet the grant award criteria.

(6) The applicant may be required to repay the State of Mississippi for any grant funds awarded not consistent with the guidelines of ARPA and its implementing guidelines, guidance, rules, regulations and other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury, and all applicable guidance issued by the office.

SECTION 7. Section 37-153-205, Mississippi Code of 1972, is brought forward as follows:

37-153-205. (1) There is established the Accelerate Mississippi Nursing/Allied Health Grant Program, which shall be directed by the office for the purpose of increasing capacity in nursing and allied health training programs, including accredited paramedic programs, job sectors which were severely impacted by the disruption to the economy and workforce caused by COVID-19.

(2) For purposes of this section, the following words shall have the meanings ascribed herein unless the context requires otherwise:

(a) "Grant program" means the program established in this section, which provides funding, as determined by the office, from federal COVID-19 relief funds to sustain and increase capacity in nursing and allied health education and training programs, including accredited paramedic programs, or to help retain and graduate nursing and allied health students, at

community and junior colleges or other entities facilitating healthcare-focused training programs as determined by the office.

(b) "Recipient" means a community or junior college or other entities facilitating healthcare-focused training programs as determined by the office.

(c) "Trainee" means an individual receiving training or other services through the grant program under this article with the goal of becoming employed in the nursing or allied health field, including as a licensed paramedic.

(d) "COVID-19" means the Coronavirus Disease 2019.

(e) "Federal COVID-19 relief funds" means funds allocated to the State of Mississippi from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2).

(f) "High-wage, high-demand industry" means those nursing or allied health jobs, including paramedics, paying above Mississippi's median annual income and prioritized by the office.

(g) "Eligible expenses" means a cost incurred by a recipient under this article, to include:

(i) Necessary equipment or other supplies to sustain or increase capacity in nursing or allied health training programs, including accredited paramedic programs;

(ii) Necessary infrastructure, including building renovation or construction, for increasing capacity in nursing or allied health training programs, including accredited paramedic programs;

(iii) Curricula or other academic or training materials to sustain or increase capacity in nursing or allied health training programs, including accredited paramedic programs;

(iv) Remote learning or other classroom technology to sustain or increase capacity in nursing or allied health training programs, including accredited paramedic programs;

(v) Job placement services for nursing or allied health students and graduates, including those in accredited paramedic programs;

(vi) Recruitment programs for nursing or allied health students and graduates, including those in accredited paramedic programs;

(vii) Other services aimed at helping retain and graduate current nursing and allied health students, including those in accredited paramedic programs.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) A detailed explanation of the program the applicant intends to use awarded funds to create or expand, to include:

(i) A description of the nursing or allied health workforce shortage the program is intended to address, including specific information from hospitals, clinics, long-term care facilities or other health care providers in the region;

(ii) Any relevant waitlist or other information demonstrating high demand for graduates from the relevant nursing or allied health program;

(iii) The number of nursing or allied health students who will be served by the program; and

(iv) The average wage rate for nursing or allied health students receiving employment after completing the program;

(b) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(c) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(d) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as supplemental matching funds to offset the total cost of the approved program will be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize jobs within the nursing or allied health fields which are currently experiencing staffing shortages in hospitals, clinics, long-term care facilities and other health care providers across the state; and

(d) Prioritize jobs which are high-wage, high-demand jobs within the nursing and allied health fields, including the paramedic field.

(7) Seventy-five percent (75%) of the funds provided through the appropriations process for this program shall be reserved for community and junior colleges. A maximum of twenty-five percent (25%) of the funds provided through the appropriations process for this program may be awarded to recipients other than a community or junior college which facilitate healthcare-focused training programs as determined by the office.

SECTION 8. Section 37-153-207, Mississippi Code of 1972, is brought forward as follows:

37-153-207. (1) There is established the Accelerate Mississippi Physician Residency and Fellowship Start-Up Grant Program, which shall be directed by the office for the purpose of creating new or increasing capacity in existing physician residency and fellowship programs in hospitals, which were severely impacted by the disruption to the economy and workforce caused by COVID-19.

(2) For purposes of this section, the following words shall have the meanings ascribed herein unless the context requires otherwise:

(a) "Grant program" means the program established in this section, which provides funding, as determined by the office, from federal COVID-19 relief funds to create new or increase capacity in existing physician residency and fellowship programs at general acute care hospitals in the State of Mississippi which are licensed by the Mississippi State Department of Health.

(b) "Recipient" means a general acute care hospital in the State of Mississippi which is licensed by the Mississippi State Department of Health.

(c) "Residency and fellowship programs" means advanced training programs in medical or surgical specialty areas which are accredited by the Accreditation Council for Graduate Medical Education or a similar accreditation body.

(d) "COVID-19" means the Coronavirus Disease 2019.

(e) "Federal COVID-19 relief funds" means funds allocated to the State of Mississippi from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2).

(f) "Eligible expenses" means a cost incurred by a recipient, pursuant to this article, to include:

(i) Equipment or other supplies necessary for accreditation;

(ii) Necessary infrastructure, including building, renovation or construction, for accreditation;

(iii) Curricula or other academic or training materials necessary for accreditation;

(iv) Stipends for the recruitment, hiring and development of program directors, program coordinators, faculty and/or teaching staff and clinic staff necessary for accreditation; and

(v) Remote learning or other classroom technology.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) Evidence that the applicant is in the process of preparing for accreditation, has applied for accreditation or has received accreditation for a new residency or fellowship program, or increased capacity in an existing residency or fellowship program;

(b) A detailed explanation of the residency or fellowship program the applicant intends to use awarded funds to create or expand, to include:

(i) A description of the workforce shortage the residency or fellowship program is intended to address, including specific information from health care providers in the region;

(ii) Any relevant waitlist or other information demonstrating high demand for medical school graduates to enter the residency or fellowship program;

(iii) The number of residents who will be served by the residency or fellowship program;

(iv) The budget for the residency or fellowship program, including a plan showing sustainability after accreditation and any required federal approval of the program; and

(v) The average wage rate for residents or fellows receiving employment after completing the program;

(c) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(d) A plan to provide data on participation and outcomes of the residency or fellowship program, including a plan to report outcomes to the office throughout the funding commitment; and

(e) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as supplemental matching funds to offset the total cost of the approved program shall be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize residency or fellowship programs within medical or surgical specialties which are currently experiencing staffing shortages in hospitals, clinics, long-term care facilities and other health care providers across the state;

(d) Prioritize residency or fellowship programs which produce graduates in high-demand medical and surgical fields;

(e) Establish a schedule of application deadlines and a system for considering applications on a rotating basis; and

(f) Ensure that every effort be made, in accordance with the priorities in this subsection, to provide funds for the placement of one (1) resident with each recipient before considering awarding funds for the placement of additional residents in the same round of consideration.

SECTION 9. Section 37-153-209, Mississippi Code of 1972, is brought forward as follows:

37-153-209. (1) There is established the Mississippi Allied Health College and Career Navigator Grant Program, which shall be directed by the office for the purpose of hiring professionals, or navigators, to provide individual assistance and guidance to students to assist them in many areas, from maneuvering challenges while enrolled in college programs and understanding the job market to working through course challenges, and to help retain and graduate nursing and allied health students, at community and junior colleges. The Office of Workforce Development shall promulgate rules and regulations on the eligibility requirements

to be a navigator. The grant program shall be funded from monies appropriated by the Legislature for that purpose.

(2) The office shall prescribe the terms and conditions of the grant program. To be eligible to receive a grant from the office under the grant program, a community college shall provide the following information:

(a) The number of nursing or allied health students who will be served by the program;

(b) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(c) Any other information that the office determines is necessary.

SECTION 10. Section 37-185-21, Mississippi Code of 1972, is brought forward as follows:

37-185-21. (1) This section shall be known and may be cited as the "Independent Schools Infrastructure Grant Program Act of 2022."

(2) There is established the Independent Schools Infrastructure Grant Program, to be administered by the Department of Finance and Administration. Under the program, eligible independent schools may apply for reimbursable grants to make necessary investments in water, wastewater, stormwater, broadband and other eligible infrastructure projects to be funded by the Legislature using Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act (ARPA). The

618 program shall be funded from appropriations by the Legislature to
619 the department from the Coronavirus State Fiscal Recovery Fund.

620 (3) The use of grants shall be subject to audit by the
621 United States Department of the Treasury's Office of Inspector
622 General and the Mississippi Office of the State Auditor. An
623 eligible independent school found to be fully or partially
624 noncompliant with grant requirements shall return to the state all
625 or a portion of the grant monies received and used for unallowable
626 expenditures. Applicants shall confirm their understanding of
627 these terms.

628 (4) For purposes of this section, unless the context
629 requires otherwise, the following terms shall have the meanings as
630 defined in this subsection:

631 (a) "Program" means the Independent Schools
632 Infrastructure Grant Program established under this section.

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

636 (c) "ARPA funds" means Coronavirus State Fiscal
637 Recovery Funds awarded through Section 602 of Title VI of the
638 Social Security Act amended by Section 9901 of the federal
639 American Rescue Plan Act of 2021, Public Law 117-2.

640 (d) "Department" means the Department of Finance and
641 Administration.

642 (e) "Eligible independent school" means any private or
643 nonpublic school operating within the State of Mississippi that:

(i) Is a member of the Midsouth Association of Independent Schools (MAIS) and located in the State of Mississippi; or

(ii) Is accredited by a state, regional or national accrediting organization; and

(iii) Is not subject to the purview of authority of the State Board of Education.

(5) On or before July 1, 2022, the department shall promulgate rules and regulations necessary to administer the program established under this section, including application procedures and deadlines.

(6) Funds under the program shall be awarded for ARPA eligible projects in the following order:

(a) Eligible water, wastewater and stormwater projects under the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF) and other eligible water projects allowable by ARPA;

(b) Broadband infrastructure projects;

(c) Capital investments for prevention, mitigation and ventilation in congregate living facilities and other key settings; and

(d) Any eligible project through ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury, excluding premium pay for employees.

669 (7) The governing board of any eligible independent school
670 may submit an application for grant funds under this section.
671 Applicants shall certify to the department that each expenditure
672 of the funds awarded to them by the department under this section
673 is in compliance with the ARPA guidelines, guidance, rules,
674 regulations and/or other criteria, as may be amended from time to
675 time, by the United States Department of the Treasury regarding
676 the use of monies from the Coronavirus State Fiscal Recovery Fund.
677 Subsequent submissions will be due by the dates established by the
678 department.

679 (8) An application for a grant under this section shall be
680 submitted at such time, be in such form, and contain such
681 information as the department prescribes. Each application shall
682 include the following at a minimum: applicant contact
683 information; project description and type of project; project map;
684 estimate of the population served by the project; estimated
685 project cost; estimated project schedule; and readiness to
686 proceed. The department is authorized to accept additional rounds
687 of grant proposals for application consideration as needed.

688 (9) Applications shall be reviewed, and the department shall
689 certify that each project submitted is eligible under ARPA and all
690 applicable guidance issued by the United States Department of the
691 Treasury. For water, wastewater and stormwater projects, the
692 department must also certify that it is a "necessary investment"
693 in water, wastewater or stormwater infrastructure as defined in
694 ARPA and all applicable guidance issued by the United States

Department of the Treasury. Grant agreements shall be executed between the recipient and the department. All final awards shall be determined at the discretion of the executive director of the department. Funds shall be made available to a grantee upon the execution of a grant agreement between the department and the approved applicant, and the department obtains the necessary support for reimbursement.

(10) Grant funds shall be used prospectively, and grants are not available to cover the costs of debt incurred before July 1, 2022.

(11) The maximum amount of grant funds that may be awarded to any eligible independent school under the program is One Hundred Thousand Dollars (\$100,000.00).

(12) The department shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report about the program. The reports shall contain the applications received, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and the status of each applicant's project.

(13) Grant funds received under this section must be obligated no later than December 31, 2024, and must be expended no later than December 31, 2026. Each grant recipient shall certify for any project for which a grant is awarded that if the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the

availability of ARPA funds, then the grant recipient will complete the project using any other funds available.

(14) The department may retain an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) of the total funds allocated to the program to defray its administrative costs.

(15) This section shall stand repealed on July 1, 2026.

SECTION 11. Section 37-185-31, Mississippi Code of 1972, is brought forward as follows:

37-185-31. (1) This section shall be known and may be cited as the "Mississippi Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program Act of 2022."

(2) There is hereby established within the Mississippi Department of Finance and Administration, the Mississippi Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program under which independent colleges and universities may apply for reimbursable grants to make necessary investments in water, wastewater, stormwater, broadband and other eligible infrastructure projects to be funded by the Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act (ARPA). Such grants shall be made available to the following institutions: Belhaven University, Blue Mountain College, Millsaps College, Mississippi College, Rust College, Tougaloo College and William Carey University. Grant program funds shall be distributed to each listed institution based on the pro rata share of full-time equivalent students enrolled in the respective college or

university. For purposes of this distribution, a full-time equivalent student shall be calculated as follows:

(a) One (1) full-time student shall be considered one (1) full-time equivalent student;

(b) One (1) part-time student shall be considered one-half (1/2) of a full-time equivalent student; and

(c) One (1) online student shall be considered one-fourth (1/4) of a full-time equivalent student.

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

(a) "MAICU Grant Program" shall mean the Mississippi Association of Independent Colleges and Universities (MAICU) Infrastructure Grant Program.

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

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

(d) "Department" shall mean the Department of Finance and Administration.

(4) On or before July 1, 2022, the Mississippi Department of Finance and Administration shall promulgate rules and regulations

necessary to administer the MAICU Grant Program prescribed under this section, including application procedures and deadlines.

(5) Funds under the MAICU Grant Program shall be awarded for ARPA eligible projects in the following order:

(a) Eligible water, wastewater and stormwater projects under the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF) and other eligible water projects allowable by ARPA;

(b) Broadband infrastructure projects;

(c) Capital investments for prevention, mitigation and ventilation in congregate living facilities and other key settings; and

(d) Any eligible project through ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury, excluding premium pay.

(6) The boards of trustees of the respective members of the Mississippi Association of Independent Colleges and Universities (MAICU) may submit an application for grant funds under this section. Applicants shall certify to the Department of Finance and Administration that each expenditure of the funds awarded to them by the department under this section is in compliance with the ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the State Coronavirus State Fiscal Recovery Funds. Subsequent

797 submissions will be due by the dates established by the
798 department.

799 (7) An application for a grant under this section shall be
800 submitted at such time, be in such form, and contain such
801 information as the department prescribes. Each application shall
802 include the following at a minimum: applicant contact
803 information; project description and type of project; project map;
804 estimate of the population served by the projects; estimated
805 project cost; estimated project schedule; and readiness to
806 proceed. The Mississippi Department of Finance and Administration
807 is authorized to accept additional rounds of grant proposals for
808 application consideration as needed.

809 (8) Applications shall be reviewed, and the Mississippi
810 Department of Finance and Administration shall certify that each
811 project submitted is eligible under the American Rescue Plan Act
812 and all applicable guidance issued by the United States Department
813 of the Treasury. For water, wastewater and stormwater projects,
814 the department must also certify that it is a "necessary
815 investment" in water, wastewater or stormwater infrastructure as
816 defined in the American Rescue Plan Act and all applicable
817 guidance issued by the United States Department of the Treasury.
818 Grant agreements shall be executed between the recipient and the
819 Mississippi Department of Finance and Administration. All final
820 awards will be determined at the discretion of the executive
821 director of the department. Funds shall be made available to a
822 grantee upon the execution of a grant agreement between the

department and the approved applicant, and the department obtains the necessary support for reimbursement.

(9) Grant requirements shall be used prospectively and grants are not available to cover the costs of debt incurred prior to the enactment of this program.

(10) (a) There is hereby created in the State Treasury a special fund to be known as the "Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund", which shall consist of funds appropriated by the Legislature from federal American Rescue Plan Act (ARPA) monies or other available federal grant funds for the purposes of awarding grants under this section. Unexpended amounts remaining in the fund at the end of the fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any interest earned on amounts in the fund shall remain in the fund. The expenditure of monies in the Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund shall be under the direction of the Mississippi Department of Finance and Administration;

(b) All monies shall be disbursed from the fund created in this subsection shall be in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies received by or on behalf of the State of Mississippi through the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (Public Law

No. 117-2). Unexpended amounts remaining in the funds at the end of a fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any investment earnings or interest earned on amounts in the program fund shall be deposited to the credit of COVID-19 Hospital Expanded Capacity Program Fund;

(c) If there are unobligated Coronavirus State Fiscal Recovery Fund monies remaining in the fund created in this section, on the later of December 17, 2024, or fourteen (14) days prior to the fund obligation deadline provided by the federal government, the Department of Finance and Administration shall transfer these unobligated balances to the Coronavirus State Fiscal Recovery Fund. The Department of Finance and Administration shall then transfer the unobligated balance of Coronavirus State Fiscal Recovery Funds from the Coronavirus State Fiscal Recovery Fund to the State and School Employees' Life and Health Insurance Fund for an amount not to exceed the lesser of Ten Million Dollars (\$10,000,000.00) or the amount of allowable ARPA expenditures, by no later than December 31, 2024, or on the date of the fund obligation deadline provided by the federal government. The Department of Finance and Administration shall then transfer all remaining unobligated balances of Coronavirus State Fiscal Recovery Funds from the Coronavirus State Fiscal Recovery Fund to the Unemployment Compensation Fund up to the ARPA allowable amount, by no later than December 31, 2024, or on the

date of the fund obligation deadline provided by the federal government; and

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

(11) The department shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report. The reports shall contain the applications received, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and the status of each applicant's project.

(12) Grant funds shall be available under this section through December 31, 2026. Each grant recipient shall certify for any project that a grant is awarded that in the event the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA Funds, then the grant recipient will complete the project through any other funds available.

(13) The Mississippi Department of Finance and Administration may retain an amount not to exceed Two Hundred Thousand Dollars (\$200,000.00) of the total funds allocated to the program to defray administrative costs.

(14) This section shall stand repealed on July 1, 2026.

SECTION 12. Section 41-3-16.1, Mississippi Code of 1972, is brought forward as follows:

41-3-16.1. (1) (a) The State Department of Health (department) shall establish a grant program to be known as the ARPA Rural Water Associations Infrastructure Grant Program (program) to assist rural water associations and entities in the construction of eligible drinking water infrastructure projects as provided in the Final Rule for the Coronavirus State and Local Fiscal Recovery Funds as established by the federal American Rescue Plan Act (ARPA).

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

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

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

926 (4) (a) The department shall develop a system for use in
927 ranking the grant applications received. The ranking system shall
928 include the following factors, at a minimum: (a) the
929 environmental impact of the proposed project; (b) the proposed
930 project's ability to address noncompliance with state/federal
931 requirements; (c) the extent to which the project promotes
932 economic development; (d) the number of people served by the
933 project (both new and existing users); (e) impacts of the proposed
934 project on disadvantaged/overburdened communities; (f) the grant
935 applicant's prior efforts to secure funding to address the
936 proposed project's objectives; (g) the grant applicant's proposed
937 contribution of other funds or in-kind cost-sharing to the
938 proposed project; (h) the grant applicant's long-term plans for
939 the financial and physical operation and maintenance of the
940 project; and (i) the grant applicant's capacity to initiate
941 construction in a timely manner and complete the proposed project
942 by the deadline specified by rules and guidelines of the United
943 States Department of the Treasury for ARPA funds.

944 (b) For the second round of grant awards, the
945 department shall apply a greater weight to grant applications that
946 promote consolidation of separate systems. In order to receive
947 the additional weight, the systems that will consolidate shall be
948 in a proximity of each other as determined by the department.

949 (c) In addition to the points awarded under paragraph
950 (b) of this subsection, an additional ten (10) points shall be
951 added to any application with at least one (1) system that has

consolidated after January 1, 2018, and before application to this program and is otherwise eligible under this section.

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

(6) (a) Upon the approval of an application for a grant under this section, the department shall enter into a project grant agreement with each grantee to establish the terms of the grant for the project, including the amount of the grant.

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

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

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

(7) With any funds appropriated to the department for the program after April 1, 2024, the department shall distribute the funds to projects from the second round of grant awards in the order in which the applications were ranked for grants as long as

the department determines that the project can obligate the funds by October 1, 2024, and expend the funds by December 31, 2026.

Where the department determines that a project cannot obligate or expend the funds by the required dates, the department shall not fund the project, and it shall continue from the second round of grant awards in the order in which the applications were ranked for grants.

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

(9) In carrying out its responsibilities under the program, for any contract under the purview of the Public Procurement Review Board (PPRB), the department shall be exempt from any requirement that the PPRB approve any personal or professional services contracts or pre-approve any solicitation of such contracts. This subsection shall stand repealed on July 1, 2026.

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

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

(a) Any entity operating as a rural water association, regardless of whether such entities were user created, were

initially organized not for profit, or have been granted
tax-exempt status under state or federal law.

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

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

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

SECTION 13. Section 41-9-371, Mississippi Code of 1972, is
brought forward as follows:

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

(2) In order to strengthen, improve and preserve access to
Mississippi hospital care services for all Mississippians and in
recognition of the challenges incurred by Mississippi hospitals as
a result of the COVID-19 pandemic, funds from the program shall be
distributed, upon appropriation by the Legislature, to each
hospital licensed by the State of Mississippi, except for
hospitals operated by the United States Department of Veterans
Affairs and hospitals operated by the State Department of Mental
Health. Licensed specialty hospitals that are recognized as such
by the State Department of Health, except for those excluded under
this subsection, are eligible for grants under the program.

1028 (3) The department shall distribute grants to each eligible
1029 hospital based upon the following formula:

1030 (a) Each hospital that has fewer than one hundred (100)
1031 licensed beds and that is not classified as a critical access
1032 hospital that operates an emergency department shall be eligible
1033 to receive Six Hundred Twenty-five Thousand Dollars (\$625,000.00)
1034 to defray the costs of providing emergency department services.

1035 (b) Each rural hospital that has fewer than one hundred
1036 (100) licensed beds and that is classified as a critical access
1037 hospital that operates an emergency department shall be eligible
1038 to receive Five Hundred Thousand Dollars (\$500,000.00) to defray
1039 the costs of providing emergency department services.

1040 (c) Each hospital that operates an emergency department
1041 and that has more than one hundred (100) licensed beds shall be
1042 eligible to receive One Million Dollars (\$1,000,000.00).

1043 (d) Each hospital with fewer than two hundred (200)
1044 licensed beds with the majority of such beds being dedicated to
1045 providing specialty services such as women's health services,
1046 long-term acute care, rehabilitation or psychiatric services shall
1047 be eligible to receive Five Hundred Thousand Dollars
1048 (\$500,000.00).

1049 (e) Each rural hospital with fewer than one hundred
1050 (100) licensed beds with no emergency department shall be eligible
1051 to receive Three Hundred Thousand Dollars (\$300,000.00) to defray
1052 the costs of providing access to hospital care in rural
1053 communities.

1054 (f) In addition to the funds provided in paragraphs (a)
1055 through (e) of this subsection, each small rural hospital with
1056 fifty (50) beds or less which operated an emergency department
1057 shall be eligible to receive Two Hundred Fifty Thousand Dollars
1058 (\$250,000.00) to defray the costs of providing access to hospital
1059 care in rural communities.

1060 (g) In addition to the funds distributed in paragraphs
1061 (a) through (c) and (e) through (f) of this subsection, any
1062 remaining funds appropriated for the purposes of this grant
1063 program shall be distributed to hospitals receiving funds in
1064 paragraphs (a) through (c) and (e) through (f) of this subsection
1065 on a pro rata amount by dividing the total amount of the remaining
1066 funds by the number of licensed beds attributable to all licensed
1067 Mississippi hospitals except for licensed beds attributable to
1068 hospitals described in paragraph (d) of this subsection and for
1069 licensed beds attributable to hospitals operated by the United
1070 States Department of Veterans Affairs and hospitals operated by
1071 the State Department of Mental Health and determining a dollar
1072 amount for each bed, and then multiplying that dollar amount by
1073 the number of licensed beds of that hospital.

1074 (4) The department shall adopt such reasonable rules as
1075 necessary for the administration of the program, but shall not
1076 place additional qualification requirements on hospitals other
1077 than the minimum requirements in this section.

1078 (5) The Mississippi Hospital Association shall form a work
1079 group to review the delivery of hospital services in Mississippi

and shall make recommendations regarding the changes needed to sustain access to hospital care to the Lieutenant Governor, Speaker of the House, Chairmen of the House and Senate Public Health Committees with copies to the Governor and the State Health Officer.

SECTION 14. Section 41-139-1, Mississippi Code of 1972, is brought forward as follows:

41-139-1. (1) As used in this section, the following terms shall be defined as provided in this subsection:

(a) "Local health care provider" or "provider" means a facility that is licensed, certified or otherwise authorized or permitted by law to provide health care in the ordinary course of business in the State of Mississippi, including, but not limited to, skilled nursing facilities, direct primary care clinics, provider owned clinics, rural health clinics, academic medical centers, community health centers and/or independent physician practices.

(b) "Transitional assistance" means any assistance related to changing a provider's current health care delivery model to a model more appropriate for the community that the provider serves, including, but not limited to:

(i) Conducting a market study of health care services needed and provided in the community;

(ii) Acquiring and implementing new technological tools and infrastructure, including, but not limited to, telemedicine delivery methods, development of health information

1106 exchange platforms to electronically share medical records,
1107 electronic health record optimization, purchasing connected
1108 devices, upgrading digital devices, improving broadband
1109 connectivity, public health reporting, and implementing online or
1110 mobile patient appointment management applications; and

1111 (iii) Supporting the implementation of population
1112 health management.

1113 (2) There is established the COVID-19 Mississippi Local
1114 Provider Innovation Grant Program to be administered by the State
1115 Department of Health. The program and any grant awarded under the
1116 program shall be for the purpose of strengthening and improving
1117 the health care system and increasing access to health care
1118 services providers to help communities achieve and maintain
1119 optimal health by providing transitional assistance to providers.
1120 The department may award an innovation grant to a local health
1121 care provider that applies in accordance with this section.

1122 (3) Eligible local health care providers shall provide the
1123 following information to the department in their application for a
1124 grant:

1125 (a) A description of the location or locations for
1126 which the grant monies will be expended, including the name and
1127 locations of where the provider administers health care services;

1128 (b) A statement of the amount of grant monies
1129 requested;

1130 (c) A description of the needs of the provider, the
1131 transitional assistance for which the grant monies will be

1132 expended and how such transitional assistance will meet the stated
1133 needs;

1134 (d) Evidence that the provider has played an active
1135 role in the community to combat the spread of COVID-19, including,
1136 but not limited to, testing, vaccination and antibody treatment;
1137 and

1138 (e) Any other information that the department deems
1139 necessary to administer this section.

1140 (4) Applicants are limited to one (1) application per
1141 business entity as determined by the applicant's business filing
1142 status with the Secretary of State. Subsidiaries of the entity
1143 are not eligible to submit separate applications. Health systems
1144 that affiliate, own or control multiple clinics are only eligible
1145 to submit one (1) application under the parent entity. The
1146 department shall determine the amount of the grant to be awarded
1147 to each applicant based on the factors detailed in the
1148 application. Applicants for grants that were approved and funded
1149 in the first round of grants awarded during fiscal year 2023 are
1150 eligible to apply for the second round of grants awarded during
1151 fiscal year 2024. The maximum amount of any one (1) grant that
1152 may be awarded to an applicant is Two Hundred Fifty Thousand
1153 Dollars (\$250,000.00). Grants may be used for reimbursement of
1154 expenses of transitional assistance meeting federal and state
1155 requirements that were incurred by providers during the period
1156 beginning on March 3, 2021, through December 31, 2024.

(5) The department may expend up to one and one-half percent (1-1/2%) of the amount appropriated for the program for the expenses of administering the program, or the specific amount authorized for administrative expenses in the appropriation bill if that amount is higher.

SECTION 15. Section 41-14-31, Mississippi Code of 1972, is brought forward as follows:

41-14-31. (1) The Mississippi Department of Health shall establish and administer the Covid-19 Hospital Expanded Capacity Program for the purpose of providing funds to hospitals that increased treatment capacity related to the COVID-19 pandemic. The program shall make grants to hospitals as a reimbursement for expenses incurred during the period beginning on March 3, 2021, through December 31, 2023, in the following manner:

(a) Funds shall first be expended for the reimbursement to hospitals for the creation of ICU beds at a maximum amount of Two Hundred Thousand Dollars (\$200,000.00) per bed. If the reimbursement for allowable expenditures submitted by all hospitals exceeds the amount of funds appropriated to this program, then the Department of Health shall allocate the reimbursement to each hospital per ICU bed created.

(b) After such reimbursement is made in paragraph (a) of this subsection, any remaining funds shall be used to reimburse hospitals for the creation of negative pressure beds at a maximum amount of Fifty Thousand dollars (\$50,000.00) per bed. If the reimbursement for allowable expenditures submitted by all

hospitals exceeds the amount of funds appropriated to this program, then the Department of Health shall allocate the reimbursement to each hospital per negative pressure bed created.

(2) The Department of Health shall:

(a) Promulgate rules and regulations necessary to implement the purposes of this act.

(b) Require all applications for grants to be filed no later than December 31, 2023.

(c) Require recipients of funds under this program to certify that the reimbursement for the creation of the intensive care units or negative pressure room is for allowable expenditures under the American Rescue Plan Act (ARPA) of 2021, Public Law 117-2, which amends Title VI of the Social Security Act; and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury.

(d) Certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the office under this act is in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund in Section 9901 of ARPA.

(3) The department shall not:

1207 (a) Reimburse hospitals for funds expended by the
1208 "Mississippi ICU Infrastructure Act", Sections 41-14-1 through
1209 41-14-11.

1210 (b) Reimburse hospitals for professional fees expended
1211 in the creation of the beds.

1212 (4) The Department of Health may retain up to One Hundred
1213 Fifty Thousand Dollars (\$150,000.00) of the funds appropriated to
1214 the program established in this act to pay reasonable expenses
1215 incurred in the administration of the program.

1216 (5) The department shall operate and administer the grant
1217 program from funds appropriated by the Legislature from the
1218 Coronavirus State Fiscal Recovery Funds.

1219 (6) The Department of Health shall submit to the Joint
1220 Legislative Budget Committee before October 1 of each year an
1221 annual report containing, at a minimum, the number of submitted
1222 applications, the amount of grant funds awarded to each hospital
1223 for both ICU beds and negative pressure beds, and the number of
1224 ICU beds and negative pressure beds that were provided a
1225 reimbursement.

1226 (7) This act shall stand repealed on July 1, 2026.

1227 **SECTION 16.** Section 49-2-131, Mississippi Code of 1972, is
1228 brought forward as follows:

1229 49-2-131. (1) This section shall be known and may be cited
1230 as the "Mississippi Municipality and County Water Infrastructure
1231 Grant Program Act of 2022."

1232 (2) There is hereby established within the Mississippi
1233 Department of Environmental Quality the Mississippi Municipality
1234 and County Water Infrastructure (MCWI) Grant Program under which
1235 municipalities, counties and certain public utilities not
1236 regulated by the Public Service Commission may apply until
1237 February 1, 2023, for reimbursable grants to make necessary
1238 investments in water, wastewater, and stormwater infrastructure to
1239 be funded by the Legislature utilizing Coronavirus State Fiscal
1240 Recovery Funds made available under the federal American Rescue
1241 Plan Act of 2021 (ARPA). Such grants shall be made available to
1242 municipalities and counties to be matched with the Coronavirus
1243 Local Fiscal Recovery Funds awarded or to be awarded to them under
1244 ARPA on a one-to-one matching basis. Coronavirus Local Fiscal
1245 Recovery Funds that a county transfers to a municipality or that a
1246 county or municipality transfers to a public utility not regulated
1247 by the Public Service Commission are eligible on a one-to-one
1248 matching basis. Municipalities that received less than One
1249 Million Dollars (\$1,000,000.00) in the total allocation of
1250 Coronavirus Local Fiscal Recovery Funds are eligible for a
1251 two-to-one match only on the Coronavirus Local Fiscal Recovery
1252 Funds awarded or to be awarded to them under ARPA. The
1253 Mississippi Department of Environmental Quality shall only accept
1254 two (2) rounds of submissions under the Mississippi Municipality
1255 and County Water Infrastructure (MCWI) Grant Program. The second
1256 round of submissions shall be the final round. The dollar amount
1257 for professional fees that can be allocated as a part of a

county's, municipality's or public utility's matching share is not to exceed four percent (4%) of the total project cost.

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

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

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

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

(d) "Local Recovery Funds" means Coronavirus Local Fiscal Recovery Funds awarded through Section 603 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

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

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

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

1284 (4) (a) On or before July 1, 2022, the Department of
1285 Environmental Quality shall promulgate rules and regulations
1286 necessary to administer the MCWI Grant Program prescribed under
1287 this section, including application procedures and deadlines. The
1288 department is exempt from compliance with the Mississippi
1289 Administrative Procedures Law in fulfilling the requirements of
1290 this section.

1291 (b) The Department of Health shall advise the
1292 Mississippi Department of Environmental Quality regarding all such
1293 rules and regulations as related to the federal Safe Drinking
1294 Water Act.

1295 (5) Funding under the MCWI Grant Program shall be allocated
1296 to projects certified by the Mississippi Department of
1297 Environmental Quality as eligible for federal funding, including,
1298 but not be limited to, the following:

1299 (a) Construction of publicly owned treatment works;

1300 (b) Projects pursuant to the implementation of a
1301 nonpoint source pollution management program established under the
1302 Clean Water Act (CWA);

1303 (c) Decentralized wastewater treatment systems that
1304 treat municipal wastewater or domestic sewage;

1305 (d) Management and treatment of stormwater or
1306 subsurface drainage water;

1307 (e) Water conservation, efficiency, or reuse measures;

1308 (f) Development and implementation of a conservation
1309 and management plan under the CWA;

1310 (g) Watershed projects meeting the criteria set forth
1311 in the CWA;

1312 (h) Energy consumption reduction for publicly owned
1313 treatment works;

1314 (i) Reuse or recycling of wastewater, stormwater, or
1315 subsurface drainage water;

1316 (j) Facilities to improve drinking water quality;

1317 (k) Transmission and distribution, including
1318 improvements of water pressure or prevention of contamination in
1319 infrastructure and lead service line replacements;

1320 (l) New sources to replace contaminated drinking water
1321 or increase drought resilience, including aquifer storage and
1322 recovery system for water storage;

1323 (m) Storage of drinking water, such as to prevent
1324 contaminants or equalize water demands;

1325 (n) Purchase of water systems and interconnection of
1326 systems;

1327 (o) New community water systems;

1328 (p) Culvert repair, resizing, and removal, replacement
1329 of storm sewers, and additional types of stormwater
1330 infrastructure;

1331 (q) Dam and reservoir rehabilitation, if the primary
1332 purpose of dam or reservoir is for drinking water supply and
1333 project is necessary for the provision of drinking water;

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

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

(6) The governing authority of a municipality, county or public utility that is not regulated by the Public Service Commission may submit an application for grant funds under this section if the applicant is an operator-member of Mississippi 811, Inc., as defined in Section 77-13-3. Applicants shall certify to the department that each expenditure of the funds awarded to them under this section is in compliance with ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the State Coronavirus State Fiscal Recovery Funds. Subsequent submissions will be due by the dates established by the department.

(7) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes. Each application for grant funds shall include the following at a minimum: (a) applicant contact information; (b) project description and type of project; (c) project map; (d) estimate of population affected by the project; (e) disadvantaged community criteria (population,

median household income, unemployment, current water/sewer rates);
(f) estimated project cost; (g) list of match funds of direct
Coronavirus Local Fiscal Recovery Funds received and to be
received from the federal government, a certification that such
funds have been or will be used for the project detailed in the
application, and documentation of commitment; (h) estimated
project schedule and readiness to proceed; (i) engineering
services agreement; (j) engineering reports; and (k) information
about status of obtaining any required permits.

(8) The department must apply a system for use in ranking
the grant applications received, unless the Legislature funds all
eligible grant requests under the program. When applying the
ranking system, the department shall apply a greater weight to
projects that have approved engineering/design, plans and permits
if the department has deemed the project is ready to begin
construction within six (6) months. Projects that are included on
the municipal or county engineer's approved list and provide
applicable supporting documentation shall receive additional
consideration awarded to the application. The ranking system
shall include the following factors, at a minimum: (a) the
environmental impact of the proposed project; (b) the proposed
project's ability to address noncompliance with state/federal
requirements; (c) the extent to which the project promotes
economic development; (d) the number of people served by the
project and the number of communities the project serves; (e)
impacts of the proposed project on disadvantaged/overburdened

1386 communities; (f) the grant applicant's prior efforts to secure
1387 funding to address the proposed project's objectives; (g) the
1388 grant applicant's proposed contribution of other funds or in-kind
1389 cost-sharing to the proposed project; (h) the grant applicant's
1390 long-term plans for the financial and physical operation and
1391 maintenance of the project; (i) the grant applicant's capacity to
1392 initiate construction in a timely manner and complete the proposed
1393 project by the deadline specified by the United States Department
1394 of Treasury rules for ARPA funds; (j) the extent to which the
1395 project benefits multiple political subdivisions in a regional
1396 manner; (k) the project's ability to enhance public service
1397 infrastructure, including transportation and emergency access; and
1398 (l) any other factors as determined by the department.

1399 (9) The grant program shall include a specific emphasis on
1400 addressing the needs of an economically disadvantaged community,
1401 including providing safe, reliable drinking water in areas that
1402 lack infrastructure, providing sewage treatment capacity in
1403 unsewered areas and providing regional development of
1404 infrastructure to serve multiple communities.

1405 (10) Applications shall be reviewed and scored as they are
1406 received, unless the Legislature funds all eligible grant requests
1407 under the program. The Mississippi Department of Environmental
1408 Quality shall certify whether each project submitted is a
1409 "necessary investment" in water, wastewater, or stormwater
1410 infrastructure as defined in the American Rescue Plan Act and all
1411 applicable guidance issued by the United States Department of the

Treasury. The Department of Environmental Quality shall review the lists of recommended water infrastructure projects and issue its list of recommended projects to the Mississippi Department of Health for its advice. Grant agreements shall be executed between the recipient and the Mississippi Department of Environmental Quality. All final awards shall be determined at the discretion of the executive director of the department. Any funds awarded to the City of Jackson under this section shall be deposited in the Capital City Water/Sewer Projects Fund of the State Treasury. Funds shall be obligated to a grantee upon the execution of a grant agreement between the department and the approved applicant. Funds shall be made available to a grantee when the department obtains the necessary support for reimbursement. The department is authorized to conduct additional rounds of grants as needed; however, in the first round no more than forty percent (40%) of the total funds appropriated for each grant program may be awarded by the department, and the remaining funds may be awarded in the final round which shall occur no later than six (6) months from the previous round. To ensure equitable treatment between the categories of projects, no less than twenty percent (20%) awarded under this section shall be allocated to each of the three (3) categories of drinking water projects, wastewater projects and stormwater projects. In the final round, any funds not requested may be allocated to any category.

(11) Grant funds shall be used prospectively; however, grant funds may be used to reimburse expenses incurred before the

enactment of this program if the costs are adequately documented and comply with applicable ARPA guidelines. An applicant must agree to obtain all necessary state and federal permits and follow all state bidding and contracting laws and fiscally sound practices in the administration of the funds.

(12) (a) Monies must be disbursed under this section in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund, established by the American Rescue Plan of 2021.

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

(13) The department shall submit to the Lieutenant Governor, Speaker of the House, House and Senate Appropriations Chairmen, and the Legislative Budget Office quarterly reports and annual reports that are due by the dates established in the Compliance and Reporting Guidance by the United States Department of Treasury. The reports shall contain the applications received, the score of the applications, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each

applicant, and status of each applicant's project. The score of the applications is not required if the award was provided in the final round of grants and the Legislature provided the total amount of funds for all eligible grant requests.

(14) Grant funds shall be available under this section through December 31, 2026, or on the date of the fund expenditure deadline provided by the federal government, whichever occurs later. Each grant recipient shall certify for any project for which a grant is awarded that if the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA funds, then the grant recipient will complete the project through other funds.

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

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

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

SECTION 17. Section 57-123-1, Mississippi Code of 1972, is brought forward as follows:

57-123-1. The COVID-19 public health emergency has had a significant negative impact on Mississippi's tourism industry and its nonprofit museums. The funds provided in this article are necessary expenditures related to COVID-19, the purpose of which is to publicize the resumption of tourism activities and steps taken to ensure a safe tourism experience and to assist nonprofit museums with costs associated with cleaning, disinfection, social distancing measures and/or other health and safety measures necessary for such museums to reopen to the public.

SECTION 18. Section 57-123-3, Mississippi Code of 1972, is brought forward as follows:

57-123-3. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Destination marketing organization" means special local governmental units created by local and private laws of the State of Mississippi for the purpose of tourism promotion, funded by special local tax levies, and staffed with professionals engaged in out-of-state tourism marketing and tourism product development for municipalities, counties and/or regions.

(b) "Marketing activities" means multimedia marketing and advertising, including digital media, broadcast media and printed media, including travel publications, production, travel market sector analysis, consumer travel sentiment, public relations, communication strategy, direct sales bookings, group tour bookings, tourism development and administrative costs to

execute marketing activities related to the business disruption effects of the Coronavirus Disease 2019 as expressed in Section 57-123-1.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Tourism Recovery Fund", which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, for the purposes provided in this section. Monies in the fund shall be disbursed in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus Relief Fund established by the Coronavirus Aid, Relief, and Economic Security Act. If on December 1, 2020, there are unexpended monies in the fund, those monies shall be transferred to the Unemployment Compensation Fund. Monies in the fund shall be disbursed by the Department of Finance and Administration as follows:

1542 (i) Two Hundred Fifty Thousand Dollars
1543 (\$250,000.00) shall be disbursed to the Tate County Economic
1544 Development Foundation for use by the foundation to assist the
1545 Senatobia Chamber of Commerce Main Street program in paying the
1546 costs of marketing activities;

1547 (ii) Two Hundred Fifty Thousand Dollars
1548 (\$250,000.00) shall be disbursed to the Brookhaven Tourism Council
1549 to assist in paying the costs of marketing activities; and

1550 (iii) Thirteen Million Five Hundred Thousand
1551 Dollars (\$13,500,000.00) shall be disbursed as provided in
1552 paragraph (b) of this subsection (2) to assist destination
1553 marketing organizations in paying costs for marketing activities.

1554 (b) (i) The Department of Finance and Administration
1555 shall determine, in conjunction with the destination marketing
1556 organizations, the allocations of monies provided under paragraph
1557 (a)(iii) of this subsection (2) as follows:

1558 1. Not more than Nine Million Seven Hundred
1559 Forty-four Thousand Seven Hundred Eighty-eight Dollars
1560 (\$9,744,788.00) of such monies shall be allocated to destination
1561 marketing organizations in a manner that will provide monies to a
1562 destination marketing organization in an amount equal to
1563 seventy-five percent (75%) of the destination marketing
1564 organization's marketing and advertising expenditures during the
1565 2019 fiscal year, and

1566 2. Not more than Three Million Seven Hundred
1567 Fifty-five Thousand Two Hundred Thirteen Dollars (\$3,755,213.00)

of such monies shall be allocated to destination marketing organizations based on the proportion that a destination marketing organization's contribution toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report bears to all destination marketing organizations' contributions toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report. However, a destination marketing organization shall not receive an amount less than Seventy-five Thousand Dollars (\$75,000.00) under this item 2.

(ii) Within fifteen (15) days of enactment, the Department of Finance and Administration shall distribute the funds allocated under paragraph (b) (i) to eligible destination marketing organizations. Before receiving funds under this paragraph (b), a destination marketing organization must certify to the Department of Finance and Administration that:

1. The funds will only be used for marketing activities, and

2. The funds will be expended before December 30, 2020, unless otherwise authorized by federal law or guidance.

(iii) Destination marketing organizations receiving funds under this paragraph (b) shall keep and maintain records related to expenditures. Destination marketing organizations receiving funds under this paragraph (b) shall also track impacts of their marketing activities through special levy tax receipts, hotel occupancy indicators, other tourism industry

metrics, and analytics from marketing campaigns, as appropriate. Such destination marketing organizations shall provide quarterly reports on expenditures and economic impacts of their marketing activities to the Department of Finance and Administration, the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Department of Audit.

(iv) Subject to applicable purchasing laws, destination marketing organizations will give preference, when available and practical, to Mississippi-based companies for any new contracts entered into for marketing activities.

(3) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

(4) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus Relief Fund established by the CARES Act (a) determines that the Department of Finance and Administration or recipient has expended or otherwise used any of the funds appropriated to the Department of Finance and Administration under this article for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the Coronavirus Relief Fund established by the CARES Act, and (b) the State of Mississippi is required to repay the federal government for any of

those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the Department of Finance and Administration or recipient, then the Department of Finance and Administration or recipient, as the case may be, that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 19. Section 57-123-5, Mississippi Code of 1972, is brought forward as follows:

57-123-5. (1) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Nonprofit Museums Recovery Fund", which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, for the purposes provided in this section. Monies in the fund shall be disbursed in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of

monies from the Coronavirus Relief Fund established by the Coronavirus Aid, Relief, and Economic Security Act. If on December 1, 2020, there are unexpended monies in the fund, those monies shall be transferred to the Unemployment Compensation Fund. Monies in the fund shall be disbursed by the Department of Finance and Administration to assist nonprofit museums in paying costs associated with cleaning, disinfection, social distancing measures and/or other health and safety measures necessary in order to reopen to the public due to the Coronavirus 2019. The Department of Finance and Administration shall take into consideration the attendance, annual revenue and operating expenses when allocating such monies under this section.

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

SECTION 20. Section 57-123-7, Mississippi Code of 1972, is brought forward as follows:

57-123-7. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Destination marketing organization" means:

(i) Special local governmental units created by local and private laws of the State of Mississippi for the purpose of tourism promotion, funded by special local tax levies, and staffed with professionals engaged in out-of-state tourism marketing and tourism product development for municipalities, counties and/or regions; or

(ii) Publicly-funded local organizations that engage in out-of-state tourism marketing and tourism development for municipalities, counties and/or regions.

(b) "Marketing activities" means multimedia marketing and advertising, including digital media, broadcast media and printed media, including travel publications, production, travel market sector analysis, consumer travel sentiment, public relations, communication strategy, direct sales bookings, group tour bookings, tourism development and administrative costs to execute marketing activities related to the business disruption effects of the Coronavirus Disease 2019 as expressed in Section 1 of Chapter 399, Laws of 2022.

(2) (a) The Department of Finance and Administration shall establish a program for the purpose of providing funds to assist destination marketing organizations in paying costs for marketing activities as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall determine, in conjunction with the destination marketing organizations, the allocation of funds under this section and shall disburse funds as follows:

(i) Not more than Nine Million Four Hundred Twenty-seven Thousand Five Hundred Fifty-seven Dollars

1698 (\$9,427,557.00) of such monies shall be allocated to destination
1699 marketing organizations in a manner that will provide monies to a
1700 destination marketing organization in an amount equal to
1701 seventy-five percent (75%) of the destination marketing
1702 organization's marketing and advertising expenditures during the
1703 2019 fiscal year, and

1704 (ii) Not more than Twenty Million Five Hundred
1705 Seventy-two Thousand Four Hundred Forty-three Dollars
1706 (\$20,572,443.00) of such monies shall be allocated to destination
1707 marketing organizations based on the proportion that a destination
1708 marketing organization's contribution toward total tourism
1709 visitors in the state according to the 2019 Fiscal Year Visit
1710 Mississippi Visitors Profile Report bears to all destination
1711 marketing organizations' contributions toward total tourism
1712 visitors in the state according to the 2019 Fiscal Year Visit
1713 Mississippi Visitors Profile Report. However, a destination
1714 marketing organization shall not receive an amount less than Two
1715 Hundred Fifty Thousand Dollars (\$250,000.00) under this
1716 subparagraph (ii).

1717 (b) Within fifteen (15) days after July 1, 2022, the
1718 Department of Finance and Administration shall distribute the
1719 funds allocated under paragraph (a) of this subsection (2) to
1720 eligible destination marketing organizations. Before receiving
1721 funds under this subsection (2), a destination marketing
1722 organization must certify to the Department of Finance and
1723 Administration that:

1724 (i) The funds will only be used for marketing
1725 activities, and

1726 (ii) The destination marketing organization will
1727 comply with applicable federal and state regulations and
1728 requirements related to American Rescue Plan Act funds, and

1729 (iii) The destination marketing organization will
1730 obligate all funds by December 31, 2024, and fully expend all
1731 funds by December 31, 2026.

1732 (c) Destination marketing organizations receiving funds
1733 under this subsection (2) shall keep and maintain records related
1734 to expenditures. Destination marketing organizations receiving
1735 funds under this subsection (2) shall also track impacts of their
1736 marketing activities through special levy tax receipts, hotel
1737 occupancy indicators, other tourism industry metrics, and
1738 analytics from marketing campaigns, as appropriate. Such
1739 destination marketing organizations shall provide semi-annual
1740 reports on expenditures and economic impacts of their marketing
1741 activities to the Department of Finance and Administration, the
1742 Governor, the Lieutenant Governor, the Speaker of the House of
1743 Representatives and the Department of Audit.

1744 (d) Subject to applicable purchasing laws, destination
1745 marketing organizations will give preference, when available and
1746 practical, to Mississippi-based companies for any new contracts
1747 entered into for marketing activities.

(3) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

SECTION 21. Section 57-123-9, Mississippi Code of 1972, is brought forward as follows:

57-123-9. (1) The Department of Finance and Administration shall establish a program for the purpose of providing assistance to Mississippi nonprofit museums as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall disburse funds under this section to nonprofit museums located in municipalities with a population of not more than fifty thousand (50,000) according to the latest federal decennial census to assist in paying costs associated with advertising and other forms of promoting and publicizing nonprofit museums and museum related activities, and repairs and renovations of and upgrades and improvements to such museums for health and safety purposes related to the Coronavirus Disease 19. Of the monies disbursed by the Department of Finance and Administration under this section, twenty-five percent (25%) of such monies shall be used to provide assistance for requests for assistance of less than Three Hundred Thousand Dollars (\$300,000.00); thirty-five percent (35%) of such monies shall be used to provide assistance for requests for

1774 assistance of Three Hundred Thousand Dollars (\$300,000.00) or more
1775 but less than Seven Hundred Thousand Dollars (\$700,000.00) and
1776 forty percent (40%) of such monies shall be used to provide
1777 assistance for requests for assistance of Seven Hundred Thousand
1778 Dollars (\$700,000.00) or more. A museum desiring assistance under
1779 this section must submit an application to the Department of
1780 Finance and Administration. The application must include a
1781 description of the purposes for which the assistance is requested,
1782 the amount of the assistance requested and any other information
1783 required by the department.

1784 (2) The Department of Finance and Administration shall have
1785 all powers necessary for the implementation of this section.

1786 **SECTION 22.** Section 57-123-11, Mississippi Code of 1972, is
1787 brought forward as follows:

1788 57-123-11. (1) The Department of Finance and Administration
1789 shall establish a program for the purpose of providing funds to
1790 Mississippi Main Street Association as provided in this section.
1791 Monies disbursed by the Department of Finance and Administration
1792 under this section shall be disbursed in compliance with all
1793 requirements and/or conditions on funds appropriated from the
1794 Coronavirus State Fiscal Recovery Fund for the program established
1795 under this section.

1796 (a) For the first round of grants, the Department of
1797 Finance and Administration shall disburse funds under this section
1798 to Mississippi Main Street Association to be used for the purpose

1799 of making revitalization grants to Mississippi communities as
1800 follows:

1801	2020	Number of	Grant	Total
1802	Population	Communities	Amount	Grants
1803	More than 25,000	8	\$ 125,000.00	\$ 1,000,000.00
1804	Not more than 25,000	40	\$ 100,000.00	\$ 4,000,000.00
1805	Total			\$ 5,000,000.00

1806 (b) For the second round of grants, the Department of
1807 Finance and Administration shall disburse funds under this section
1808 to Mississippi Main Street Association to be used for the purpose
1809 of making revitalization grants to Mississippi communities as
1810 follows:

1811	2020	Number of	Grant	Total
1812	Population	Communities	Amount	Grants
1813	More than 25,000	8	\$ 68,000.00	\$ 544,000.00
1814	Not more than 25,000	40	\$ 61,400.00	\$ 2,456,000.00
1815	Total			\$ 3,000,000.00

1816 (2) The Department of Finance and Administration shall have
1817 all powers necessary for the implementation of this section.

1818 **SECTION 23.** Section 57-123-51, Mississippi Code of 1972, is
1819 brought forward as follows:

1820 57-123-51. The COVID-19 public health emergency has had a
1821 significant negative impact on Mississippi's tourism industry.
1822 American Rescue Plan Act funds are specifically targeted toward
1823 assisting in the recovery of the tourism and hospitality sectors.
1824 The funds provided in this article are necessary expenditures

related to COVID-19, the purpose of which is to publicize the resumption of tourism activities and steps taken to ensure a safe tourism experience and to support the travel and hospitality economy of Mississippi. It is the intention of the Legislature that the activities defined in this article will address the negative economic impacts of COVID-19 on the tourism, travel, and hospitality industries as allowed by the American Rescue Plan Act of 2021 and subsequent guidance issued by the United States Department of Treasury.

SECTION 24. Section 57-123-53, Mississippi Code of 1972, is brought forward as follows:

57-123-53. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Destination marketing organization" means an organization that received funds under Section 57-123-7, Mississippi Code of 1972.

(b) "Marketing activities" means multimedia marketing and advertising, including digital media, broadcast media and printed media, including travel publications, production, travel market sector analysis, consumer travel sentiment, public relations, communication strategy, direct sales bookings, group tour bookings, tourism development and administrative costs to execute marketing activities related to the business disruption effects of the Coronavirus Disease 2019 as expressed in Section 57-123-51.

(2) (a) The Department of Finance and Administration shall establish a program for the purpose of providing funds to assist destination marketing organizations in paying costs for marketing activities as provided in this section and to assist certain museums as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. Monies in the fund shall be disbursed by the Department of Finance and Administration as follows:

(i) Twenty-one Million Dollars (\$21,000,000.00) shall be disbursed as provided in paragraph (b) of this subsection (2) to assist destination marketing organizations in paying costs for marketing activities; and

(ii) One Million Dollars (\$1,000,000.00) shall be disbursed to the GRAMMY® Museum Mississippi, in Cleveland, Mississippi, to assist in paying costs associated with advertising and other forms of promoting and publicizing the museum and museum related activities, and repairs and renovations of and upgrades and improvements to the museum for health and safety purposes related to the Coronavirus Disease 19.

(b) (i) The Department of Finance and Administration shall determine, in conjunction with the destination marketing organizations, the allocation of funds under paragraph (a)(i) of this subsection (2) and shall disburse funds as follows:

1877 1. Not more than Nine Million Four Hundred
1878 Twenty-seven Thousand Five Hundred Fifty-seven Dollars
1879 (\$9,427,557.00) of such monies shall be allocated to destination
1880 marketing organizations in a manner that will provide monies to a
1881 destination marketing organization in an amount equal to
1882 seventy-five percent (75%) of the destination marketing
1883 organization's marketing and advertising expenditures during the
1884 2019 fiscal year, and

1885 2. Not more than Eleven Million Five Hundred
1886 Seventy-two Thousand Four Hundred Forty-three Dollars
1887 (\$11,572,443.00) of such monies shall be allocated to destination
1888 marketing organizations based on the proportion that a destination
1889 marketing organization's contribution toward total tourism
1890 visitors in the state according to the 2019 Fiscal Year Visit
1891 Mississippi Visitors Profile Report bears to all destination
1892 marketing organizations' contributions toward total tourism
1893 visitors in the state according to the 2019 Fiscal Year Visit
1894 Mississippi Visitors Profile Report. However, a destination
1895 marketing organization shall not receive an amount less than One
1896 Hundred Twenty-five Thousand Dollars (\$125,000.00) under this item
1897 2.

1898 (ii) Destination marketing organizations receiving
1899 funds under this paragraph (b) shall provide details related to
1900 their planned expenditures to the Department of Finance and
1901 Administration prior to funds being disbursed. If the plans
1902 submitted by the destination marketing organizations include

activities described in this section as eligible under this program, the department shall approve the plan within thirty (30) days of receipt of the plans.

(iii) Before receiving funds under this paragraph (b), a destination marketing organization must certify to the Department of Finance and Administration that:

1. The funds will only be used for marketing activities, and

2. The destination marketing organization will comply with applicable federal and state regulations and requirements related to American Rescue Plan Act funds, and

3. The destination marketing organization will obligate all funds by December 31, 2024, and fully expend all funds by December 31, 2026.

(iv) Destination marketing organizations receiving funds under this paragraph (b) shall keep and maintain records related to expenditures. Destination marketing organizations receiving funds under this paragraph (b) shall also track impacts of their marketing activities through special levy tax receipts, hotel occupancy indicators, other tourism industry metrics, and analytics from marketing campaigns, as appropriate. Such destination marketing organizations shall provide semi-annual reports on expenditures and economic impacts of their marketing activities to the Department of Finance and Administration, the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Department of Audit.

(v) Subject to applicable purchasing laws, destination marketing organizations will give preference, when available and practical, to Mississippi-based companies for any new contracts entered into for marketing activities.

(3) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

SECTION 25. Section 57-123-55, Mississippi Code of 1972, is brought forward as follows:

57-123-55. (1) The Department of Finance and Administration shall establish a program for the purpose of providing funds to certain entities as provided in this section. The Department of Finance and Administration shall disburse One Million Dollars (\$1,000,000.00) under this section to NarraTrip LLC, to use to assist municipalities in the state in paying costs to participate in and be promoted as part of the business's mobile apps geared toward promoting tourism in the state, including, but not limited to, providing information regarding historic sites, roadside markers and dining, music and art experiences.

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

SECTION 26. Section 65-1-141.3, Mississippi Code of 1972, is brought forward as follows:

65-1-141.3. There is created in the State Treasury a special fund to be designated as the "ARPA-MDOT Maintenance Project Fund", which shall consist of funds made available by the Legislature in

any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Transportation for eligible Surface Transportation maintenance projects included in the Maintenance Program of the Three-Year Plan as adopted by, amended by, or reissued by the Mississippi Transportation Commission under the authority of Section 65-1-141. The Department of Transportation may escalate its budget upon receiving Coronavirus State Fiscal Recovery Funds and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

The Department of Transportation shall determine if a project is eligible based upon Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury, including, but not limited to, Federal Register Volume 88, Issue 181, September 20, 2023, which allows for Surface Transportation projects.

SECTION 27. Section 4 of Chapter 509, Laws of 2024, is amended as follows:

Section 4. (1) The Legislature, based upon current United States Treasury guidance, has determined that all Coronavirus State Fiscal Recovery Funds must be obligated by December 31, 2024, and expended by December 31, 2026.

(2) (a) In order to meet the obligation deadline set forth by the United States Treasury, the State Fiscal Officer shall determine the amount of Coronavirus State Fiscal Recovery Funds appropriated to various agencies that will not be obligated as of October 1, 2024.

(b) In making the determination required by this section, the State Fiscal Officer shall use the guidance released by the United States Treasury to determine if the Coronavirus State Fiscal Recovery Funds are not obligated.

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

(4) If at any time the State Fiscal Officer determines that funds will be unobligated as of October 1, 2024, under subsection (2) or (3) of this section, the State Treasurer, in coordination with the State Fiscal Officer, shall transfer these funds to the Coronavirus State Fiscal Recovery Fund (Fund No. 682111300) by no later than October 5, 2024. The State Fiscal Officer may retain an amount not to exceed the lesser of the estimated cost of ARPA

2007 administration or Twenty-five Million Dollars (\$25,000,000.00) in
2008 the Coronavirus State Fiscal Recovery Fund to be utilized for
2009 administrative and reporting costs. No later than October 6,
2010 2024, the State Treasurer, in conjunction with the State Fiscal
2011 Officer, shall transfer the funds to the ARPA-MDOT Maintenance
2012 Project Fund.

2013 (5) If at any time the State Fiscal Officer determines that
2014 funds are available after October 5, 2024, the State Fiscal
2015 Officer, in conjunction with the State Treasurer, shall transfer
2016 the available funds to the ARPA-MDOT Maintenance Project Fund.

2017 **SECTION 28.** This act shall take effect and be in force from
2018 and after July 1, 2025.

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

1 AN ACT TO BRING FORWARD SECTION 27-104-321, MISSISSIPPI CODE
2 OF 1972, WHICH CREATED THE CORONAVIRUS STATE FISCAL RECOVERY FUND,
3 FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION
4 27-104-323, MISSISSIPPI CODE OF 1972, WHICH CREATED THE
5 CORONAVIRUS LOCAL FISCAL RECOVERY FUND, FOR THE PURPOSE OF
6 POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-104-325,
7 MISSISSIPPI CODE OF 1972, WHICH CREATED THE CORONAVIRUS STATE
8 FISCAL RECOVERY LOST REVENUE FUND, FOR THE PURPOSE OF POSSIBLE
9 AMENDMENT; TO BRING FORWARD SECTION 37-106-64, MISSISSIPPI CODE OF
10 1972, WHICH ESTABLISHED THE SKILLED NURSING HOME AND HOSPITAL
11 NURSES RETENTION LOAN REPAYMENT PROGRAM, FOR THE PURPOSE OF
12 POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-57,
13 MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ACCELERATE
14 MISSISSIPPI WORKFORCE DEVELOPMENT PROGRAM, FOR THE PURPOSE OF
15 POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-59,
16 MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE MISSISSIPPI HEALTH
17 SCIENCES TRAINING INFRASTRUCTURE GRANT PROGRAM, FOR THE PURPOSE OF
18 POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-205,
19 MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ACCELERATE
20 MISSISSIPPI NURSING/ALLIED HEALTH GRANT PROGRAM, FOR THE PURPOSE
21 OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-207,
22 MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ACCELERATE

MISSISSIPPI PHYSICIAN RESIDENCY AND FELLOWSHIP START-UP GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-153-209, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE MISSISSIPPI ALLIED HEALTH COLLEGE AND CAREER NAVIGATOR GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-185-21, MISSISSIPPI CODE OF 1972, WHICH CREATED THE INDEPENDENT SCHOOLS INFRASTRUCTURE GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 37-185-31, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI ASSOCIATION OF INDEPENDENT COLLEGES AND UNIVERSITIES INFRASTRUCTURE GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 41-9-371, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 41-139-1, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 41-14-31, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED THE COVID-19 HOSPITAL EXPANDED CAPACITY PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 49-2-131, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 57-123-1 THROUGH 57-123-11 AND SECTIONS 57-123-51 THROUGH 57-123-55, MISSISSIPPI CODE OF 1972, WHICH CREATED PROGRAMS TO SUPPORT TOURISM ACTIVITIES, DESTINATION MARKETING ORGANIZATIONS, NONPROFIT MUSEUMS AND THE MISSISSIPPI MAIN STREET ASSOCIATION, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 65-1-141.3, MISSISSIPPI CODE OF 1972, WHICH CREATED THE ARPA-MDOT MAINTENANCE PROJECT FUND, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 4, CHAPTER 509, LAWS OF 2024, TO REQUIRE THE STATE TREASURER TO TRANSFER CERTAIN AVAILABLE CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE ARPA-MDOT MAINTENANCE PROJECT FUND; AND FOR RELATED PURPOSES.

HR26\SB2543PH.J

Andrew Ketchings
Clerk of the House of Representatives