

By: Senator(s) Hopson, Polk, Butler (36th),
DeBar, Frazier, Michel, Parks, Williams,
Blount

To: Appropriations

SENATE BILL NO. 3062
(As Passed the Senate)

1 AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE
2 CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF
3 FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL
4 PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE
5 AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** The following sum, or so much thereof as may be
8 necessary, is hereby appropriated out of any money to the credit
9 of the Coronavirus State Fiscal Recovery Fund to the Department of
10 Finance and Administration Bureau of Building, Grounds, and Real
11 Property Management for the purposes described in this section,
12 for the period beginning on July 1, 2021, and ending June 30,
13 2022.....\$ 366,900,000.00.

14 This additional appropriation under this section is for the
15 purpose of completing capital projects at state-owned buildings or
16 grounds that are allowable under Section 9901 of the American
17 Rescue Plan Act of 2021 (ARPA) or any guidance or regulation
18 issued by the United States Department of the Treasury in
19 conformity therewith.



20 **SECTION 2.** "Capital projects" for the purpose of this act
21 shall mean the following:

22 (a) Eligible projects under the Environmental Protection
23 Agency's Clean Water State Revolving Fund (CWSRF) or Drinking
24 Water State Revolving Fund (DWSRF), lead remediation, and
25 stormwater infrastructure;

26 (b) Prevention, mitigation, or other services in congregate
27 living facilities and other key settings;

28 (c) Ventilation system installation and improvements;

29 (d) Capital investments in public facilities to implement
30 COVID-19 mitigation tactics;

31 (e) Improvements to state parks due to increased use;

32 (f) Any other eligible project through ARPA guidelines,
33 guidance, rules, regulations and/or other criteria, as may be
34 amended from time to time, of the United States Department of the
35 Treasury excluding broadband infrastructure.

36 **SECTION 3.** It is the intention of the Legislature that the
37 Department of Finance and Administration Bureau of Building,
38 Grounds, and Real Property Management prioritize necessary
39 investment in drinking water, wastewater, and stormwater
40 infrastructure when determining projects unless the entity
41 operates a congregate living facility or the purpose is expressly
42 stated in this act.



43 **SECTION 4.** It is the intention of the Legislature that no
44 funds appropriated under this act shall be used to pay employee
45 premium payments.

46 **SECTION 5.** Of the funds appropriated under the provisions of
47 Section 1 of this act, Two Hundred Fifty-six Million Six Hundred
48 Fifty Thousand Dollars (\$256,650,000.00) or so much thereof, shall
49 be provided for capital projects at state-owned buildings or
50 grounds occupied by the following state agencies or for the
51 following purposes as cited herein:

52 (a) Any state-owned building as deemed
53 necessary by the Department of Finance and
54 Administration Bureau of Building, Grounds
55 and Real Property Management.....\$ 26,500,000.00

56 (b) The Department of Corrections.....\$ 80,000,000.00

57 (c) The Department of Mental Health.....\$ 65,000,000.00

58 (d) The Department of Human Services
59 Oakley Youth Development Center.....\$ 5,150,000.00

60 (e) State Department of Health for
61 necessary capital investment to assist
62 in responding to the public health emergency.....\$ 24,250,000.00

63 (f) The State Fire Academy.....\$ 750,000.00

64 (g) To the entity that oversees the
65 operations of state parks for the purpose of
66 eligible water, wastewater, and stormwater
67 projects.....\$ 22,500,000.00



68 (h) To the entity that oversees the
69 operations of state parks for the purpose of
70 improvements to state parks due to increased use
71 and to promote tourism.....\$ 32,500,000.00

72 **SECTION 6.** Of the funds appropriated under the provisions of
73 Section 1 of this act, Seventy-seven Million Five Hundred Thousand
74 Dollars (\$77,500,000.00) or so much thereof, shall be provided for
75 capital projects at state-owned buildings or grounds occupied by
76 the following Universities:

77 (a) Alcorn State University including
78 Alcorn State University Agricultural Research,
79 Extension, and Land-Grant Programs.....\$ 7,500,000.00

80 (b) Delta State University.....\$ 8,000,000.00

81 (c) Center for Education and Research.....\$ 2,000,000.00

82 (d) Jackson State University.....\$ 10,250,000.00

83 (e) Mississippi State University (MSU)
84 including Mississippi Agricultural and Forestry
85 Experiment Station, Mississippi Cooperative
86 Extension Service, Forest and Wildlife Research
87 Center, and College of Veterinary Medicine at
88 MSU.....\$ 12,100,000.00

89 (f) Mississippi University for Women.....\$ 7,300,000.00

90 (g) Mississippi Valley State University.....\$ 9,500,000.00

91 (h) University of Mississippi.....\$ 5,850,000.00

92 (i) University of Southern Mississippi



93 including the Gulf Park Campus.....\$ 5,500,000.00

94 (j) University of Mississippi Medical
95 Center.....\$ 9,500,000.00

96 **SECTION 7.** Of the funds appropriated under the provisions of
97 Section 1 of this act, Thirty-two Million Seven Hundred Fifty
98 Thousand Dollars (\$32,750,000.00) or so much thereof, shall be
99 provided for capital projects at state-owned buildings or grounds
100 occupied by the following Community Colleges:

101 (a) Coahoma Community College.....\$ 2,500,000.00

102 (b) Copiah-Lincoln Community College.....\$ 2,500,000.00

103 (c) East Central Community College.....\$ 1,000,000.00

104 (d) East Mississippi Community College.....\$ 1,000,000.00

105 (e) Hinds Community College.....\$ 3,650,000.00

106 (f) Holmes Community College.....\$ 1,000,000.00

107 (g) Itawamba Community College.....\$ 1,000,000.00

108 (h) Jones Community College.....\$ 2,750,000.00

109 (i) Meridian Community College.....\$ 1,000,000.00

110 (j) Mississippi Delta Community College.....\$ 3,750,000.00

111 (k) Mississippi Gulf Coast Community
112 College.....\$ 3,400,000.00

113 (l) Northeast Mississippi Community
114 College.....\$ 3,250,000.00

115 (m) Northwest Mississippi Community
116 College.....\$ 2,700,000.00

117 (n) Pearl River Community College.....\$ 1,250,000.00



118 (o) Southwest Mississippi Community
119 College.....\$ 2,000,000.00

120 **SECTION 8.** (1) As used in this section and Section 9 of
121 this act, the term "department" means the Department of Finance
122 and Administration Bureau of Building, Grounds, and Real Property
123 Management.

124 (2) The department shall not disburse any funds appropriated
125 under this act to any recipient without first: (a) making an
126 individualized determination that the reimbursement sought is, in
127 the department's independent judgment, for necessary expenditures
128 eligible under Section 602 of the federal Social Security Act as
129 added by Section 9901 of the federal American Rescue Plan Act of
130 2021 (ARPA) and its implementing guidelines, guidance, rules,
131 regulations and/or other criteria, as may be amended or
132 supplemented from time to time, by the United States Department of
133 the Treasury; and (b) determining that the recipient has not
134 received and will not receive reimbursement for the expense in
135 question from any source of funds, including insurance proceeds,
136 other than those funds provided under Section 602 of the federal
137 Social Security Act as added by Section 9901 of ARPA. In
138 addition, the department shall ensure that all funds appropriated
139 under this act are disbursed in compliance with the Single Audit
140 Act (31 USC Sections 7501-7507) and the related provisions of the
141 Uniform Guidance, 2 CFR Section 200.303 regarding internal
142 controls, Sections 200.330 through 200.332 regarding sub-recipient



143 monitoring and management, and subpart F regarding audit
144 requirements.

145 **SECTION 9.** (1) As a condition of receiving and expending
146 the funds appropriated to each entity listed in Sections 5, 6, and
147 7 under this act, each entity shall certify to the Department of
148 Finance and Administration that each expenditure of the funds
149 appropriated to the department under this act complies with the
150 guidelines, guidance, rules, regulations and/or other criteria, as
151 may be amended from time to time, of the United States Department
152 of the Treasury regarding the use of monies from the Coronavirus
153 State Fiscal Recovery Fund established by ARPA.

154 (2) If the Office of Inspector General of the United States
155 Department of the Treasury, or the Office of Inspector General of
156 any other federal agency having oversight over the use of monies
157 from the Coronavirus State Fiscal Recovery Fund established by
158 ARPA (a) determines that the department or recipient has expended
159 or otherwise used any of the funds appropriated to the department
160 under this act for any purpose that is not in compliance with the
161 guidelines, guidance, rules, regulations and/or other criteria, as
162 may be amended from time to time, of the United States Department
163 of the Treasury regarding the use of monies from the Coronavirus
164 State Fiscal Recovery Fund established by ARPA, and (b) the State
165 of Mississippi is required to repay the federal government for any
166 of those funds that the Office of the Inspector General determined
167 were expended or otherwise used improperly by the department or



168 recipient, then the department or recipient that expended or
169 otherwise used those funds improperly shall be required to pay the
170 amount of those funds to the State of Mississippi for repayment to
171 the federal government.

172 **SECTION 10.** The department shall submit to the Joint
173 Legislative Budget Committee by October 1 of each year an annual
174 report. The reports shall contain a listing of the projects
175 intended to be funded through this appropriation, the amount of
176 funds allocated toward each project, the amount of funds expended
177 on each project, and the status of each project.

178 **SECTION 11.** The money herein appropriated shall be paid by
179 the State Treasurer out of any money in the State Treasury to the
180 credit of the proper fund or funds as set forth in this act, the
181 State Fiscal Officer may issue warrants up to one-half (1/2) of
182 the funds which shall be paid upon the passage of this act and the
183 remaining balance shall be paid upon the receipt of the
184 Coronavirus State Fiscal Recovery Funds from the federal
185 government; and the State Fiscal Officer shall issue his warrants
186 upon requisitions signed by the proper person, officer or
187 officers, in the manner provided by law.

188 **SECTION 12.** This act shall take effect and be in force from
189 and after July 1, 2022, and shall stand repealed on June 30, 2022.

