

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

To: Appropriations

SENATE BILL NO. 3062
(As Sent to Governor)

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.

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, 2022, and ending June 30,
13 2023.....\$ 217,250,000.00.

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.** None of the funds appropriated under this act
44 shall be used to pay employee premium payments.



45 **SECTION 5.** Of the funds appropriated under the provisions of
46 Section 1 of this act, One Hundred Seventy-nine Million Seven
47 Hundred Fifty Thousand Dollars (\$179,750,000.00) or so much
48 thereof as may be necessary, shall be provided for capital
49 projects at state-owned buildings or grounds occupied by the
50 following state agencies or for the following purposes as cited
51 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.....\$ 14,000,000.00.

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

57 (c) The Department of Mental Health.....\$ 40,000,000.00.

58 (d) The Department of Human Services
59 Oakley Youth Development Center.....\$ 5,000,000.00.

60 (e) State Department of Health for
61 necessary capital investment to assist
62 in responding to the public health emergency.....\$ 12,000,000.00.

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.....\$ 12,000,000.00.

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.....\$ 16,000,000.00.

72 **SECTION 6.** Of the funds appropriated under the provisions of
73 Section 1 of this act, Twenty-five Million Dollars
74 (\$25,000,000.00) or so much thereof as may be necessary, shall be
75 provided for critical capital projects as determined by the
76 Department of Finance and Administration Bureau of Building,
77 Grounds, and Real Property Management at state-owned buildings or
78 grounds occupied by the following universities: Alcorn State
79 University, Delta State University, Jackson State University,
80 Mississippi State University, Mississippi University for Women,
81 Mississippi Valley State University, University of Mississippi,
82 and University of Southern Mississippi, or any related
83 subsidiaries of these Universities.

84 **SECTION 7.** Of the funds appropriated under the provisions of
85 Section 1 of this act, Twelve Million Five Hundred Thousand
86 Dollars (\$12,500,000.00) or so much thereof as may be necessary,
87 shall be provided for critical capital projects as determined by
88 the Department of Finance and Administration Bureau of Building,
89 Grounds, and Real Property Management at state-owned buildings or
90 grounds occupied by the following public community and junior
91 colleges: Coahoma Community College, Copiah-Lincoln Community
92 College, East Central Community College, East Mississippi
93 Community College, Hinds Community College District, Holmes
94 Community College, Itawamba Community College, Jones County Junior



95 College, Meridian Community College, Mississippi Delta Community
96 College, Mississippi Gulf Coast Community College District,
97 Northeast Mississippi Community College, Northwest Mississippi
98 Community College, Pearl River Community College, and Southwest
99 Mississippi Community College.

100 **SECTION 8.** Of the funds appropriated in Section 5 subsection
101 (b) of this act, the following sum Eight Hundred Thousand Dollars
102 (\$800,000.00) or so much as may be necessary is provided to the
103 Town of Walnut Grove to assist with improvement to the sewer
104 system and lagoon that serves the Walnut Grove Correctional
105 Facility.

106 **SECTION 9.** (1) As used in this section and Section 10 of
107 this act, the term "department" means the Department of Finance
108 and Administration Bureau of Building, Grounds, and Real Property
109 Management.

110 (2) The department shall not disburse any funds appropriated
111 under this act to any recipient without first: (a) making an
112 individualized determination that the reimbursement sought is, in
113 the department's independent judgment, for necessary expenditures
114 eligible under Section 602 of the federal Social Security Act as
115 added by Section 9901 of the federal American Rescue Plan Act of
116 2021 (ARPA) and its implementing guidelines, guidance, rules,
117 regulations and/or other criteria, as may be amended or
118 supplemented from time to time, by the United States Department of
119 the Treasury; and (b) determining that the recipient has not



120 received and will not receive reimbursement for the expense in
121 question from any source of funds, including insurance proceeds,
122 other than those funds provided under Section 602 of the federal
123 Social Security Act as added by Section 9901 of ARPA. In
124 addition, the department shall ensure that all funds appropriated
125 under this act are disbursed in compliance with the Single Audit
126 Act (31 USC Sections 7501-7507) and the related provisions of the
127 Uniform Guidance, 2 CFR Section 200.303 regarding internal
128 controls, Sections 200.330 through 200.332 regarding subrecipient
129 monitoring and management, and subpart F regarding audit
130 requirements.

131 **SECTION 10.** (1) As a condition of receiving and expending
132 the funds appropriated to each entity listed in Sections 5, 6, and
133 7 of this act, each entity shall certify to the Department of
134 Finance and Administration that each expenditure of the funds
135 appropriated to the department under this act complies with the
136 guidelines, guidance, rules, regulations and/or other criteria, as
137 may be amended from time to time, of the United States Department
138 of the Treasury regarding the use of monies from the Coronavirus
139 State Fiscal Recovery Fund established by ARPA.

140 (2) If the Office of Inspector General of the United States
141 Department of the Treasury, or the Office of Inspector General of
142 any other federal agency having oversight over the use of monies
143 from the Coronavirus State Fiscal Recovery Fund established by
144 ARPA (a) determines that the department or recipient has expended



145 or otherwise used any of the funds appropriated to the department
146 under this act for any purpose that is not in compliance with the
147 guidelines, guidance, rules, regulations and/or other criteria, as
148 may be amended from time to time, of the United States Department
149 of the Treasury regarding the use of monies from the Coronavirus
150 State Fiscal Recovery Fund established by ARPA, and (b) the State
151 of Mississippi is required to repay the federal government for any
152 of those funds that the Office of the Inspector General determined
153 were expended or otherwise used improperly by the department or
154 recipient, then the department or recipient that expended or
155 otherwise used those funds improperly shall be required to pay the
156 amount of those funds to the State of Mississippi for repayment to
157 the federal government.

158 **SECTION 11.** The department shall submit to the Joint
159 Legislative Budget Committee by October 1 of each year an annual
160 report. The reports shall contain a listing of the projects
161 intended to be funded through this appropriation, the amount of
162 funds allocated toward each project, the amount of funds expended
163 on each project, and the status of each project.

164 **SECTION 12.** The money appropriated by this act shall be paid
165 by the State Treasurer out of any money in the Coronavirus State
166 Fiscal Recovery Fund not otherwise appropriated, upon warrants
167 issued by the State Fiscal Officer; and the State Fiscal Officer
168 shall issue his or her warrants upon requisitions signed by the
169 proper person, officer or officers in the manner provided by law.



170 **SECTION 13.** This act shall take effect and be in force from
171 and after July 1, 2022.

