Senate Amendments to House Bill No. 1538

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE 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:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the ARPA Drinking Water Infrastructure Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the ARPA Drinking Water Infrastructure Grant Program established under House Bill No. 1425, 2022 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023......................$ 0.00.

SECTION 2. The following sum, or so much of it as may be necessary, is appropriated out of any money in the ARPA Rural Water Associations Infrastructure Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the ARPA Rural Water Associations Infrastructure Grant Program established under House Bill No. 1421, 2022 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023..........................$ 0.00.
SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the State Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under 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; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the
department shall certify to the Department of Finance and
Administration that each expenditure of the funds appropriated to
the department under this act complies 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 established by the American Rescue Plan Act
of 2021.

(2) 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 State Fiscal Recovery Fund established by the
American Rescue Plan Act of 2021 (a) determines that the
department or recipient has expended or otherwise used any of the
funds appropriated to the department under this act 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, 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 Act of 2021,
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 or recipient, then the department or recipient 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 5.** The money appropriated by Section 1 of this act shall be paid by the State Treasurer out of any money in the ARPA Drinking Water Infrastructure Fund not otherwise appropriated, and the money appropriated by Section 2 of this act shall be paid by the State Treasurer out of any money in the ARPA Rural Water Associations Infrastructure Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

**SECTION 6.** This act shall take effect and be in force from and after July 1, 2022, and shall stand repealed on June 30, 2022.

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


Eugene S. Clarke
Secretary of the Senate