Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO

House Bill No. 1538

BY: Committee

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, the department or recipient shall:

(a) Within 30 days of notification, rectify the non-compliance in full;

(b) Within 45 days of notification, provide a written explanation of why the non-compliance continued to exist and the steps being taken to rectify the non-compliance;

(c) Within 60 days of notification, submit a proposal for any additional actions that may be necessary to rectify the non-compliance.

If the department or recipient fails to comply with the requirements set forth in subsection (a) through (c) of this section, the department or recipient shall be subject to all penalties provided in law, including but not limited to, the recovery of the monies expended for non-compliant purposes.
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:

AN ACT MAKING AN APPROPRIATION 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, AND THE ARPA RURAL WATER ASSOCIATIONS