

**REPORT OF CONFERENCE COMMITTEE**

**MR. PRESIDENT AND MR. SPEAKER:**

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3165: Appropriation; additional to MDOT-Surface Transportation Projects, ARPA funds.

We, therefore, respectfully submit the following report and recommendation:

- 1. That the House recede from its Amendment No. 1.
- 2. That the Senate and House adopt the following amendment:

**Amend by striking all after the enacting clause and inserting in lieu thereof the following:**

9           **SECTION 1.** The following sum, or so much thereof as may be  
10 necessary, is appropriated out of any money not otherwise  
11 appropriated to the credit of the Coronavirus State Fiscal  
12 Recovery Lost Revenue Fund, and allocated in a manner as  
13 determined by the Treasurer's Office, to the Mississippi  
14 Department of Transportation for the purpose of expenditures for  
15 allowable Surface Transportation projects included in the  
16 Maintenance Program of the MDOT Three-Year Plan for the period  
17 beginning upon the passage of this act and ending June 30, 2025...  
18 .....\$ 50,000,000.00.

19           **SECTION 2.** It is the intention of the Legislature that the  
20 funds provided in Section 1 of this act shall be provided for  
21 shovel-ready projects that will be under contract and obligated  
22 before November 1, 2024.



23           **SECTION 3.** (1) As used in this section and Section 4 of  
24 this act, the term "department" means the Mississippi Department  
25 of Transportation.

26           (2) The department shall not disburse any funds appropriated  
27 under this act to any recipient without first: (a) making an  
28 individualized determination that the expenditure sought is, in  
29 the department's independent judgment, for necessary expenditures  
30 eligible under Section 602 of the federal Social Security Act as  
31 added by Section 9901 of the federal American Rescue Plan Act of  
32 2021 (ARPA) and its implementing guidelines, guidance, rules,  
33 regulations and/or other criteria, as may be amended or  
34 supplemented from time to time, by the United States Department of  
35 the Treasury; and (b) determining that the recipient has not  
36 received and will not receive reimbursement for the expense in  
37 question from any source of funds, including insurance proceeds,  
38 other than those funds provided under Section 602 of the federal  
39 Social Security Act as added by Section 9901 of ARPA. In  
40 addition, the department shall ensure that all funds appropriated  
41 under this act are disbursed in compliance with the Single Audit  
42 Act (31 USC Sections 7501-7507) and the related provisions of the  
43 Uniform Guidance, 2 CFR Section 200.303 regarding internal  
44 controls, Sections 200.330 through 200.332 regarding sub-recipient  
45 monitoring and management, and subpart F regarding audit  
46 requirements.



47           **SECTION 4.** (1) As a condition of receiving and expending  
48 the funds appropriated to the department under this act, the  
49 department shall certify to the Department of Finance and  
50 Administration that each expenditure of the funds appropriated to  
51 the department under this act complies with the guidelines,  
52 guidance, rules, regulations and/or other criteria, as may be  
53 amended from time to time, of the United States Department of the  
54 Treasury regarding the use of monies from the Coronavirus State  
55 Fiscal Recovery Fund established by the American Rescue Plan Act  
56 of 2021.

57           (2) If the Office of Inspector General of the United States  
58 Department of the Treasury, or the Office of Inspector General of  
59 any other federal agency having oversight over the use of monies  
60 from the Coronavirus State Fiscal Recovery Fund established by the  
61 American Rescue Plan Act of 2021 (a) determines that the  
62 department or recipient has expended or otherwise used any of the  
63 funds appropriated to the department under this act for any  
64 purpose that is not in compliance with the guidelines, guidance,  
65 rules, regulations and/or other criteria, as may be amended from  
66 time to time, of the United States Department of the Treasury  
67 regarding the use of monies from the Coronavirus State Fiscal  
68 Recovery Fund established by the American Rescue Plan Act of 2021,  
69 and (b) the State of Mississippi is required to repay the federal  
70 government for any of those funds that the Office of the Inspector  
71 General determined were expended or otherwise used improperly by



72 the department or recipient, then the department or recipient that  
73 expended or otherwise used those funds improperly shall be  
74 required to pay the amount of those funds to the State of  
75 Mississippi for repayment to the federal government.

76 **SECTION 5.** None of the funds appropriated by this act shall  
77 be used to pay employee premium payments.

78 **SECTION 6.** The money appropriated by this act shall be paid  
79 by the State Treasurer out of any money in the Coronavirus State  
80 Fiscal Recovery Lost Revenue Fund not otherwise appropriated, upon  
81 warrants issued by the State Fiscal Officer; and the State Fiscal  
82 Officer shall issue his or her warrants upon requisitions signed  
83 by the proper person, officer or officers in the manner provided  
84 by law.

85 **SECTION 7.** This act shall take effect and be in force from  
86 and after its passage.

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

1 AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE  
2 CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND TO THE  
3 MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF  
4 PROVIDING FUNDING FOR ALLOWABLE SURFACE TRANSPORTATION PROJECTS  
5 INCLUDED IN THE MAINTENANCE PROGRAM OF THE MDOT THREE-YEAR PLAN,  
6 FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING  
7 JUNE 30, 2025.



CONFEREES FOR THE SENATE

X (SIGNED)

Hopson

X (SIGNED)

Polk

X (SIGNED)

Parks

CONFEREES FOR THE HOUSE

X (SIGNED)

Read

X (SIGNED)

Oliver

X (SIGNED)

Cockerham

