

By: Representatives Hale, Eubanks, Hall,  
Keen, Kinkade

To: Conservation and Water  
Resources; Appropriations A

HOUSE BILL NO. 876

1 AN ACT TO ESTABLISH THE MISSISSIPPI EMERGENCY DRINKING WATER  
2 NETWORK ACT TO BE ADMINISTERED BY THE MISSISSIPPI EMERGENCY  
3 MANAGEMENT AGENCY; TO STATE LEGISLATIVE FINDINGS AND INTENT; TO  
4 ESTABLISH THE MISSISSIPPI EMERGENCY DRINKING WATER NETWORK GRANT  
5 PROGRAM TO INCREASE DRINKING WATER SECURITY AND WATER SYSTEM  
6 RESILIENCY BY EQUIPPING WATER SYSTEMS AND FIRST RESPONDERS WITH  
7 EQUIPMENT AND TRAINING TO MAINTAIN WATER SERVICE TO VITAL  
8 FACILITIES AND THE PUBLIC DURING PERIODS OF INFRASTRUCTURE  
9 FAILURE; TO PROVIDE DEFINITIONS FOR THE TERMS USED IN THE ACT; TO  
10 SPECIFY THE PURPOSES FOR GRANT AWARDS TO MISSISSIPPI COUNTY  
11 EMERGENCY MANAGEMENT AGENCIES; TO AUTHORIZE THE MISSISSIPPI  
12 EMERGENCY MANAGEMENT AGENCY (MEMA) TO MAKE ELIGIBLE EQUIPMENT  
13 PURCHASES SUPPORTING THE MISSISSIPPI EMERGENCY DRINKING WATER  
14 NETWORK; TO ALLOW MEMA TO USE A MAXIMUM OF TWO PERCENT OF FUNDS  
15 APPROPRIATED FOR THE ADMINISTRATIVE EXPENSES OF CARRYING OUT THE  
16 PROVISIONS OF THIS ACT, TO THE EXTENT PERMISSIBLE UNDER FEDERAL  
17 LAW; TO DIRECT MEMA TO SEEK TO MINIMIZE ITS ADMINISTRATIVE  
18 EXPENSES BY ESTABLISHING POLICIES AND PROCEDURES MIRRORING PAST  
19 PROGRAMS USING FEDERAL COVID-19 RELIEF FUNDS; TO REQUIRE MEMA TO  
20 CERTIFY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION THAT EACH  
21 EXPENDITURE APPROPRIATED TO MEMA IS IN COMPLIANCE WITH UNITED  
22 STATES DEPARTMENT OF THE TREASURY CRITERIA REGARDING THE USE OF  
23 MONIES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE  
24 REPORTING REQUIREMENTS TO THE GOVERNOR AND THE LEGISLATURE BY  
25 OCTOBER 1 OF EACH YEAR; TO PROVIDE THAT FUNDS APPROPRIATED TO MEMA  
26 FOR THE PURPOSES OF THIS ACT SHALL BE AVAILABLE THROUGH DECEMBER  
27 31, 2026, OR ON THE DATE OF THE ARPA FUNDS EXPENDITURE DEADLINE  
28 PROVIDED BY THE FEDERAL GOVERNMENT, WHICHEVER OCCURS LATER; TO  
29 PROVIDE THAT EACH GRANT RECIPIENT SHALL CERTIFY, FOR ANY PROJECT  
30 FOR WHICH A GRANT IS AWARDED, THAT IF THE PROJECT IS NOT COMPLETED  
31 BY DECEMBER 31, 2026, AND THE UNITED STATES CONGRESS DOES NOT  
32 ENACT AN EXTENSION OF THE DEADLINE ON THE AVAILABILITY OF ARPA  
33 FUNDS, THEN THE GRANT RECIPIENT WILL COMPLETE THE PROJECT THROUGH  
34 OTHER FUNDS; AND FOR RELATED PURPOSES.

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

36 **SECTION 1.** This act shall be known and may be cited as the  
37 "Mississippi Emergency Drinking Water Network Act". Under this  
38 act, the Legislature creates the Mississippi Emergency Drinking  
39 Water Network and the Mississippi Emergency Drinking Water Network  
40 Grant Program.

41 **SECTION 2.** (1) The Mississippi Legislature finds that:

42 (a) The Coronavirus State and Local Fiscal Recovery  
43 Funds (SLFRF) 2023 Interim Final Rule authorizes expenditures for  
44 the purpose of mitigation activities that reduce or eliminate the  
45 potential impacts of the threat of a natural disaster;

46 (b) The majority of Mississippi communities are rural  
47 communities that are historically underserved by federal disaster  
48 relief programs;

49 (c) The SLFRF 2023 Interim Final Rule encourages  
50 recipients to consider how the provision of emergency relief can  
51 support communities that have been historically underserved and  
52 are more at risk of the impacts of natural disasters.

53 (2) Therefore, the intent of the Mississippi Legislature is  
54 to:

55 (a) Provide funding for the establishment of potable  
56 water points of distribution in each county and the acquisition of  
57 equipment to transport bulk potable water by truck and to  
58 facilitate the transfer and safe use of bulk potable water during  
59 water system emergencies;

60 (b) Provide funding for the acquisition of equipment  
61 designed to transfer potable water using relocatable pump and  
62 piping systems that can be deployed during water system  
63 emergencies; and

64 (c) Provide funding for training water system personnel  
65 and first responders in proper deployment of transport and  
66 transfer systems.

67 **SECTION 3.** There is established the Mississippi Emergency  
68 Drinking Water Network Grant Program, which shall be administered  
69 by the Mississippi Emergency Management Agency (MEMA) for the  
70 purpose of increasing drinking water security and water system  
71 resiliency by equipping water systems and first responders with  
72 equipment and training to maintain water service to vital  
73 facilities and the public during periods of infrastructure  
74 failure.

75 **SECTION 4.** As used in this act, the following words shall  
76 have the meanings as defined in this subsection unless the context  
77 requires otherwise:

78 (a) "ARPA funds" means funds allocated to the State of  
79 Mississippi from the Coronavirus State Fiscal Recovery Fund in  
80 Section 9901 of the American Rescue Plan Act of 2021 (Public Law  
81 No. 117-2).

82 (b) "COVID-19" means the Coronavirus Disease 2019.

83 (c) "Eligible expenses" means a cost incurred by a  
84 recipient under this act, including, but not limited to:

85 (i) Necessary equipment or other supplies to  
86 establish potable water points of distribution. Examples include  
87 backflow prevention devices, hydrant metering devices, and hoses  
88 and fittings;

89 (ii) Necessary equipment for a potable water  
90 transport system capable of hauling potable water by truck, from  
91 points of distribution to points of use;

92 (iii) Necessary equipment for storage and use of  
93 potable water at points of use;

94 (iv) Necessary equipment to transfer potable water  
95 between or within water systems using relocatable pumping systems;  
96 and

97 (v) Necessary training materials and  
98 demonstrations for water system operators and first responders to  
99 properly deploy systems.

100 (d) "Grant program" means the Mississippi Emergency  
101 Drinking Water Network Grant Program established in this act,  
102 which provides funding from federal ARPA funds to distribute  
103 equipment and resources for the bulk hauling of potable water by  
104 truck and bulk transfer using deployable pumping systems that  
105 facilitate movement of potable water between neighboring water  
106 systems with an emphasis on providing rural water systems with  
107 self sufficiency as well as the ability to participate in mutual  
108 aid efforts between water systems and other public and private

109 sector facilities for which interruptions in water supply may  
110 cause public harm.

111 (e) "MEMA" means the Mississippi Emergency Management  
112 Agency.

113 (f) "Network" or "MEDWN" means the Mississippi  
114 Emergency Drinking Water Network, which refers collectively to the  
115 equipment, training, and operational plans developed to meet the  
116 goals of the grant program.

117 (g) "Point of distribution" means a location determined  
118 by county emergency management agencies from which potable water  
119 distribution will take place if the county serves as a provider of  
120 potable water to be transported or transferred. Selection,  
121 planning, and safe operation of the points of distribution shall  
122 be performed in conjunction with the system operator of the  
123 respective water system possessing the necessary skills and  
124 certifications for safe selection and operation.

125 (h) "Point of use" means the location receiving  
126 transported or transferred potable water from a point of  
127 distribution.

128 (i) "Recipient" means a county emergency management  
129 agency, rural water association, rural fire district, or other  
130 entity deemed by MEMA as capable of performing duties determined  
131 necessary to meet the goals of the grant program as either an end  
132 user or pass-through recipient of funds.

133 (j) "Transfer pump system" means a system of pumps and  
134 hoses designed for the specific purpose of transferring potable  
135 water from points of distribution to points of use.

136 (k) "Transport system" means equipment designed for the  
137 specific purpose of transporting potable water from points of  
138 distribution to points of use.

139 **SECTION 5.** (1) Subject to appropriation by the Legislature,  
140 MEMA shall grant a fixed amount award to each Mississippi county  
141 emergency management agency for:

142 (a) Costs of bulk potable water truck transport  
143 equipment meeting network requirements established by MEMA;

144 (b) Costs of training first responders and water  
145 operators in deployment of water transport equipment;

146 (c) Costs of establishing a potable water point of  
147 distribution within the recipient's jurisdiction.

148 (2) Subject to appropriation by the Legislature, MEMA shall:

149 (a) Directly acquire potable water transfer pump  
150 systems to support bulk transfer of potable water;

151 (b) Determine the optimal quantity and geographic  
152 placement of transfer pump systems in Mississippi to best respond  
153 to water emergencies;

154 (c) Develop an operations plan for deployment of the  
155 transfer pump systems; and

156 (d) Develop a training program for first responders for  
157 deployment of transfer pump systems.

158 (3) All grants and other funds disbursed by MEMA under this  
159 act must be used only for eligible expenditures.

160 (4) MEMA is authorized to use a maximum of two percent (2%)  
161 of the funds appropriated for the purposes of this act for  
162 administrative expenses of carrying out the provisions of this  
163 act, to the extent permissible under federal law. MEMA shall seek  
164 to minimize its administrative expenses by establishing policies  
165 and procedures mirroring past programs using federal COVID-19  
166 relief funds.

167 (5) After the initial fixed award and direct purchase  
168 amounts are determined, MEMA shall accept applications and, at its  
169 discretion, obligate by subaward any remaining funds to rural  
170 county emergency management agencies, rural water providers, rural  
171 first responders, or pass-through subrecipients for purposes that  
172 are aligned with the goals of the grant program.

173 (6) MEMA shall certify to the Department of Finance and  
174 Administration that each expenditure from funds appropriated to  
175 MEMA is in compliance with United States Department of the  
176 Treasury criteria regarding the use of monies from the Coronavirus  
177 State Fiscal Recovery Fund. MEMA shall report to the Governor and  
178 the Legislature by October 1 of each year detailing the  
179 expenditures during the previous year of funds appropriated to  
180 MEMA for the purposes of this act.

181 (7) All funds appropriated to MEMA for the purpose of this  
182 act shall be disbursed in compliance with the guidelines,

183 guidance, rules, regulations and other criteria, as may be amended  
184 from time to time, of the United States Department of the Treasury  
185 regarding the use of monies from the American Rescue Plan Act  
186 (ARPA). Unobligated funds remaining at the end of ARPA SLFRF  
187 obligation deadline set by the United States Department of the  
188 Treasury shall be managed in accordance with ARPA SLFRF rules  
189 under the authority of the Department of Finance and  
190 Administration.

191 (8) The funds appropriated to MEMA for the purposes of this  
192 act shall be available through December 31, 2026, or on the date  
193 of the ARPA funds expenditure deadline provided by the federal  
194 government, whichever occurs later. Each grant recipient shall  
195 certify, for any project for which a grant is awarded, that if the  
196 project is not completed by December 31, 2026, and the United  
197 States Congress does not enact an extension of the deadline on the  
198 availability of ARPA funds, then the grant recipient shall  
199 complete the project through other funds.

200 **SECTION 6.** This act shall take effect and be in force from  
201 and after July 1, 2025.