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MISSISSIPPI LEGISLATURE

2020 Regular Session

To: Rules

By: Representative Byrd

House Bill 1799

(As Sent to Governor)

AN ACT MAKING AN APPROPRIATION FROM THE BUDGET CONTINGENCY FUND TO THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY FOR THE MISSISSIPPI COUNTY AND MUNICIPALITY EMERGENCY RELIEF PROGRAM FOR THE REIMBURSEMENT OF COUNTIES AND MUNICIPALITIES FOR ELIGIBLE EXPENDITURES INCURRED IN RESPONSE TO THE COVID-19 PANDEMIC; AND FOR RELATED PURPOSES.

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

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Budget Contingency Fund not otherwise appropriated, to the Mississippi Emergency Management Agency COVID-19 Fund (Fund Number 6820174100) for the Mississippi County and Municipality Emergency Relief Program for the reimbursement of counties and municipalities for eligible expenditures incurred in response to the COVID-19 pandemic, as authorized under Senate Bill No. 3047, 2020 Regular Session, for the period beginning upon July 1, 2020, and ending December 30, 2020.....$70,000,000.00.

Of the funds appropriated under this section, no more than Five Hundred Thousand Dollars ($500,000.00) may be retained by the Mississippi Emergency Management Agency to administer the program.

SECTION 2. The Mississippi Emergency Management Agency 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 agency's independent judgment, for necessary expenditures incurred due to the public health emergency with respect to COVID-19 as provided under Section 601(d) of the federal Social Security Act as added by Section 5001 of the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act 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 601 of the federal Social Security Act as added by Section 5001 of the CARES Act. In addition, the Mississippi Emergency Management Agency 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 subrecipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the Mississippi Emergency Management Agency, the agency shall certify that each expenditure of the funds appropriated to the agency under Section 1 of this act is 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 Relief Fund established by the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act.

(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 Relief Fund established by the CARES Act (a) determines that the Mississippi Emergency Management Agency or recipient has expended or otherwise used any of the funds appropriated to the Mississippi Emergency Management Agency 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 Relief Fund established by the CARES Act, 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 Mississippi Emergency Management Agency or recipient, then the Mississippi Emergency Management Agency or recipient, as the case may be, 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 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Budget Contingency Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after its passage.

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