

By: Representatives Scoggin, Faulkner

To: Rules

HOUSE BILL NO. 1794
(As Sent to Governor)

1 AN ACT MAKING AN APPROPRIATION FROM THE "POSTSECONDARY
2 EDUCATION COVID-19 MITIGATION RELIEF GRANT FUND" TO THE DEPARTMENT
3 OF FINANCE AND ADMINISTRATION FOR PURPOSES OF ADMINISTERING THE
4 GRANT PROGRAM CREATED TO PROVIDE THE REIMBURSEMENT OF ELIGIBLE
5 EXPENSES FOR THE MITIGATION OF THE IMPACT OF COVID-19; MAKING AN
6 APPROPRIATION FROM THE "INDEPENDENT SCHOOLS' COVID-19 ASSISTANCE
7 GRANT FUND" TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO ADMINISTER
8 THE GRANT PROGRAM CREATED TO PROVIDE THE REIMBURSEMENT OF ELIGIBLE
9 EXPENSES FOR THE MITIGATION OF THE IMPACT OF COVID-19; AND FOR
10 RELATED PURPOSES.

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

12 **SECTION 1.** The following sum, or so much of it as may be
13 necessary, is appropriated out of any money in the "Postsecondary
14 Education COVID-19 Mitigation Relief Grant Fund," to the
15 Department of Finance and Administration for purposes of
16 administering the "Postsecondary Education COVID-19 Mitigation
17 Relief Program Act," established in Sections 1 through 6 of House
18 Bill No. 1793, 2020 Regular Session, for the period beginning July
19 1, 2020, and ending December 30, 2020.....\$ 100,000,000.00.

20 **SECTION 2.** The following sum, or so much of it as may be
21 necessary, is appropriated out of any money in the "Independent
22 Schools' COVID-19 Assistance Grant Fund," to the Mississippi



23 Development Authority (MDA) for purposes of administering the
24 "Independent Schools' COVID-19 Assistance Grant Program Act,"
25 established in Sections 7 through 12 of House Bill No. 1793, 2020
26 Regular Session, for the period beginning July 1, 2020, and ending
27 December 30, 2020.....\$ 10,000,000.00.

28 **SECTION 3.** (1) As used in this section and Section 4 of
29 this act, the term "agency" means the Department of Finance and
30 Administration or the Mississippi Development Authority, as the
31 case may be.

32 (2) The agency shall not disburse any funds appropriated
33 under this act to any recipient without first: (a) making an
34 individualized determination that the reimbursement sought is, in
35 the board's independent judgment, for necessary expenditures
36 incurred due to the public health emergency with respect to
37 COVID-19 as provided under Section 601(d) of the federal Social
38 Security Act as added by Section 5001 of the federal Coronavirus
39 Aid, Relief, and Economic Security (CARES) Act and its
40 implementing guidelines, guidance, rules, regulations and/or other
41 criteria, as may be amended or supplemented from time to time, by
42 the United States Department of the Treasury; and (b) determining
43 that the recipient has not received and will not receive
44 reimbursement for the expense in question from any source of
45 funds, including insurance proceeds, other than those funds
46 provided under Section 601 of the federal Social Security Act as
47 added by Section 5001 of the CARES Act. In addition, the agency



48 shall ensure that all funds appropriated under this act are
49 disbursed in compliance with the Single Audit Act (31 USC Sections
50 7501-7507) and the related provisions of the Uniform Guidance, 2
51 CFR Section 200.303 regarding internal controls, Sections 200.330
52 through 200.332 regarding subrecipient monitoring and management,
53 and subpart F regarding audit requirements.

54 **SECTION 4.** (1) As a condition of receiving and expending
55 the funds appropriated to the agency under this act, the agency
56 shall certify to the Department of Finance and Administration that
57 each expenditure of the funds appropriated to the agency under
58 Sections 1 and 2 of this act is in compliance with the guidelines,
59 guidance, rules, regulations and/or other criteria, as may be
60 amended or supplemented from time to time, by the United States
61 Department of the Treasury regarding the use of monies from the
62 Coronavirus Relief Fund established by the federal Coronavirus
63 Aid, Relief, and Economic Security (CARES) Act.

64 (2) If the Office of Inspector General of the United States
65 Department of the Treasury, or the Office of Inspector General of
66 any other federal agency having oversight over the use of monies
67 from the Coronavirus Relief Fund established by the federal CARES
68 Act (a) determines that the agency has expended or otherwise used
69 any of the funds appropriated to the board under this act for any
70 purpose that is not in compliance with the guidelines, guidance,
71 rules, regulations and/or other criteria, as may be amended or
72 supplemented from time to time, by the United States Department of



73 the Treasury regarding the use of monies from the Coronavirus
74 Relief Fund established by the federal CARES Act, and (b) the
75 State of Mississippi is required to repay the federal government
76 for any of those funds that the Office of the Inspector General
77 determined were expended or otherwise used improperly by the
78 agency, then the agency, which expended or otherwise used those
79 funds improperly, shall be required to pay the amount of those
80 funds to the State of Mississippi for repayment to the federal
81 government.

82 **SECTION 5.** The money appropriated by this act shall be paid
83 by the State Treasurer out of any money in the "Postsecondary
84 Education COVID-19 Mitigation Relief Grant Fund" or the
85 "Independent Schools' COVID-19 Assistance Grant Fund," as the case
86 may be, not otherwise appropriated, upon warrants issued by the
87 State Fiscal Officer; and the State Fiscal Officer shall issue his
88 warrants upon requisitions signed by the proper person, officer or
89 officers in the manner provided by law.

90 **SECTION 6.** This act shall take effect and be in force from
91 and after July 1, 2020.

