

By: Smith (35th)

To: Public Health and  
Welfare

HOUSE BILL NO. 1097

1 AN ACT CREATE THE FAMILY IMPACT STUDY LAW; TO REQUIRE STATE  
2 AGENCIES TO ASSESS THE IMPACT OF PROPOSED AGENCY ACTIONS ON FAMILY  
3 WELL-BEING; AND FOR RELATED PURPOSES.

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

5 SECTION 1. This act shall be known and may be cited as the  
6 "Family Impact Study Law."

7 SECTION 2. For the purposes of this act, the term "family"  
8 means:

9 (a) A group of individuals related by blood, marriage  
10 or adoption who live together as a single household; and

11 (b) Any individual who is not a member of that group,  
12 but who is related by blood, marriage or adoption to a member of  
13 that group, and who receives over half of his or her support in a  
14 calendar year from that group.

15 SECTION 3. Before implementing policies or regulations that  
16 may affect family well-being, each agency of the state shall  
17 assess that action to determine whether:

18 (a) The action strengthens or erodes the stability of  
19 the family and the marital commitment;

20 (b) The action strengthens or erodes the authority and  
21 rights of parents in the education, nurture and supervision of  
22 their children;

23 (c) The action helps the family perform its functions  
24 or substitutes governmental activity for those functions;

25 (d) The action increases or decreases disposable family  
26 income;

27 (e) The proposed benefits of the action justify the  
28 financial impact on the family;

29 (f) The action may be carried out by the family; and

30 (g) The action establishes an implicit or explicit  
31 policy concerning:

32 (i) The status of the family; and

33 (ii) The relationship between the behavior and  
34 personal responsibility of youth and the norms of society.

35 SECTION 4. (1) The executive officer of each state agency  
36 shall:

37 (a) Submit a written certification to the Executive  
38 Director of the Department of Finance and Administration that a  
39 proposed policy or regulation of the agency has been assessed in  
40 accordance with Section 1 of this act; and

41 (b) Provide an adequate rationale for the  
42 implementation of each proposed policy or regulation that may  
43 negatively affect family well-being.

44 (2) It shall be the duty of the Executive Director of the  
45 Department of Finance and Administration to:

46 (a) Ensure that policies and regulations proposed by an  
47 agency are implemented consistent with this act; and

48 (b) Compile, index and submit annually to the  
49 Legislature the written certification received under to subsection  
50 (1)(a) of this section.

51 SECTION 5. The Executive Director of the Department of  
52 Finance and Administration shall:

53 (a) Assess proposed policies and regulations of state  
54 agencies in accordance with this act;

55 (b) Provide evaluations of policies and regulations  
56 that may affect family well-being to the Legislature; and

57 (c) Advise the Governor on policy and regulatory  
58 actions that may be taken to strengthen the institutions of  
59 marriage and family in the state.

60           SECTION 6. Upon the request of a member of the Legislature  
61 relating to a proposed policy or regulation, an agency shall  
62 conduct an assessment of that policy or regulation in accordance  
63 with Section 1 of this act and also shall provide a certification  
64 and rationale in accordance with Section 2 of this act.

65           SECTION 7. This act shall take effect and be in force from  
66 and after July 1, 2000.