

By: Nunnelee

To: Public Health and
Welfare;
Appropriations

SENATE BILL NO. 3160

1 AN ACT TO AMEND SECTIONS 43-17-37 AND 43-17-35, MISSISSIPPI
2 CODE OF 1972, TO MAKE TECHNICAL CORRECTIONS TO THE MISSISSIPPI
3 REDUCING OUT-OF-WEDLOCK PREGNANCIES INCENTIVE GRANT FUND PROGRAM,
4 AND TO EXTEND THE TASK FORCE ON OUT-OF-WEDLOCK PREGNANCIES IN
5 ORDER TO MAKE FURTHER REPORTS TO THE LEGISLATURE; AND FOR RELATED
6 PURPOSES.

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

8 SECTION 1. Section 43-17-37, Mississippi Code of 1972, is
9 amended as follows:[RDD1]

10 43-17-37. (1) There is hereby created in the State Treasury
11 a special fund to be known as the Mississippi Reducing
12 Out-Of-Wedlock Pregnancies Incentive Grant Fund into which shall
13 be deposited the federal funds available for bonuses for the
14 reduction in out-of-wedlock births awarded under the federal
15 Personal Responsibility and Work Opportunity Reconciliation Act of
16 1996 (Public Law 104-193) and such other money as the Legislature
17 may provide by appropriation. The money in the fund shall be used
18 for the purpose of providing financial incentives to counties to
19 reduce their out-of-wedlock birth rates as required by federal
20 welfare reform legislation. The fund shall be administered by the
21 Department of Human Services. Unexpended amounts remaining in the
22 fund at the end of the fiscal year shall not lapse into the State
23 General Fund, and any interest earned on amounts in the fund shall
24 be deposited to the credit of the fund; provided that any
25 unexpended amounts remaining in the fund on December 31, 2003,
26 shall lapse into the State General Fund.

27 (2) The Department of Human Services shall make annual
28 awards from the fund to the top five (5) counties with the

29 greatest reduction in out-of-wedlock births without an increase in
30 abortions in each of the following categories:

31 (a) One Hundred Thousand Dollars (\$100,000.00) in
32 counties which had two hundred fifty (250) or fewer * * * total
33 live births;

34 (b) Two Hundred Fifty Thousand Dollars (\$250,000.00) in
35 counties which had between two hundred fifty (250) and five
36 hundred (500) total live births;

37 (c) Five Hundred Thousand Dollars (\$500,000.00) in
38 counties which had five hundred (500) or more * * * total live
39 births.

40 (3) Determination of the recipient counties will be based on
41 an average of the previous two (2) years' out-of-wedlock birth
42 rates compared to the previous two-year average, and the abortion
43 rate of county residents compared to the abortion rate for
44 calendar year 1998 as reported by the State Department of Health.

45 In order to qualify for the award funds, the reduction in the
46 out-of-wedlock birth ratio shall be at least three percent (3%).
47 For example, if fifty percent (50%) of the babies born to county
48 residents are born out of wedlock, the county would only qualify
49 for the financial reward if that percentage is reduced to
50 forty-seven percent (47%) or lower.

51 (4) In order to be considered for an incentive award, the
52 county board of supervisors shall appoint an advisory
53 committee * * * which shall develop a plan for the county to be
54 submitted by the county board of supervisors to the Department of
55 Human Services by December 1, 2000, and by December 1 of each
56 subsequent year.

57 (5) Each county receiving an incentive award will be subject
58 to the following requirements:

59 (a) The county must use the incentive award for some
60 type of youth enrichment, such as, but not limited to, continuing
61 the implementation of the plan that reduced out-of-wedlock
62 pregnancies, education-related projects, recreational facilities,
63 or a summer work program; and

64 (b) The county must submit a report to the Department
65 of Human Services on the methods used to achieve the reduction in

66 out-of-wedlock births, and submit a separate report to the
67 department explaining how the incentive award was spent.

68 (6) If the fund is not adequate to make the distributions
69 presented under this section, the department may award funds to
70 counties on a reduced pro-rata basis.

71 (7) Funds shall be distributed each year following the
72 release of the vital statistics report of the Mississippi State
73 Department of Health. The first disbursement from the fund shall
74 be made after such report is released which shows the statistics
75 for calendar year 2000.

76 (8) This section shall stand repealed from and after
77 December 31, 2003.

78 SECTION 2. Section 43-17-35, Mississippi Code of 1972, is
79 amended as follows:[RDD2]

80 43-17-35. (1) In the enactment of the Personal
81 Responsibility and Work Opportunity Reconciliation Act of 1996
82 (Public Law 104-193), the United States Congress made the
83 following findings relating to out-of-wedlock pregnancies:

84 (a) The increase of out-of-wedlock pregnancies and
85 births is well documented.

86 (b) An effective strategy to combat teenage pregnancy
87 must address the issue of male responsibility, including statutory
88 rape culpability and prevention. The increase of teenage
89 pregnancies among the youngest girls is particularly severe and is
90 linked to predatory sexual practices by men who are significantly
91 older.

92 (c) The negative consequences of an out-of-wedlock
93 birth on the mother, the child, the family and society are well
94 documented.

95 (d) Currently thirty-five percent (35%) of children in
96 single-parent homes are born out of wedlock, nearly the same
97 percentage as that of children in single-parent homes whose
98 parents are divorced. While many parents find themselves, through

99 divorce or tragic circumstances beyond their control, facing the
100 difficult task of raising children alone, nevertheless, the
101 negative consequences of raising children in single-parent homes
102 are well documented.

103 (e) Therefore, in light of this demonstration of the
104 crisis in our nation, it is the sense of the Congress that
105 prevention of out-of-wedlock births are very important government
106 interests and the policy contained in this legislation is intended
107 to address the crisis.

108 (2) The Department of Human Services shall establish a task
109 force in compliance with Public Law 104-193, consisting of public
110 and private organizations and individuals to review the incidence
111 and circumstances of out-of-wedlock pregnancies in Mississippi.
112 Based on these findings, goals will be established by the task
113 force and a specific program will be recommended to prevent and
114 reduce the incidence of out-of-wedlock pregnancies in Mississippi,
115 as well as the efficiency and cost effectiveness of the program,
116 with special emphasis on teenage pregnancies. The task force will
117 establish numerical goals for reducing the illegitimacy ratio of
118 the state as defined by federal law through calendar year 2005.
119 The task force shall publish its findings and recommendations with
120 any proposed legislation in a report to the Governor and the
121 Legislature to be made on or before January 1, 1998.

122 (3) The task force established under subsection (2) of this
123 section shall continue in existence and shall study the effect
124 that raising the statutory age of sexual consent to age sixteen
125 (16) has on preventing and reducing the incidence of teenage
126 out-of-wedlock pregnancies in Mississippi from July 1, 1998, to
127 October 1, 2001. The task force shall consider whether raising
128 the age of sexual consent to an age above age sixteen (16) would
129 be more effective in preventing and reducing the incidence of
130 teenage out-of-wedlock pregnancies in Mississippi. The task force
131 shall publish its findings and recommendations, together with any

132 proposed legislation, in a report to the Governor and the
133 Legislature on or before January 1, 2002.

134 SECTION 3. This act shall take effect and be in force from
135 and after July 1, 2000.