

By: Senator(s) Mettetal

To: Public Health and Welfare

SENATE BILL NO. 2694

1 AN ACT TO AMEND SECTION 43-1-9, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF
3 HUMAN SERVICES TO PROVIDE WRITTEN NOTICE TO THE BOARD OF
4 SUPERVISORS OF THE RESPECTIVE COUNTY WHENEVER THE COUNTY DIRECTOR
5 POSITION IS VACANT; AND FOR RELATED PURPOSES.

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

7 SECTION 1. Section 43-1-9, Mississippi Code of 1972, is
8 amended as follows:

9 43-1-9. There shall be created in each county of the state a
10 county department of human services which shall consist of a
11 county director of human services, and such other personnel as may
12 be necessary for the efficient performance of the duties of the
13 county department. It shall be the duty of the board of
14 supervisors of each county to provide office space for the county
15 department.

16 County director. The Executive Director of the Mississippi
17 Department of Human Services shall designate, in accordance with
18 the rules and regulations of the State Personnel Board, with the
19 approval of the Governor, a county director of human services who
20 shall serve as the executive and administrative officer of the
21 county department and shall be responsible to the state department
22 for its management. Such director shall be a resident citizen of
23 the county and shall not hold any political office of the state,
24 county, municipality or subdivision thereof. However, in cases of
25 emergency, the commissioner may appoint a director of human
26 services who is a nonresident of such county, to serve during the
27 period of emergency only. Before making the designation of county
28 director, the Executive Director of the Mississippi Department of

29 Human Services shall provide written notice to the board of
30 supervisors of the respective county that the county director
31 position is vacant.

32 The county department of human services shall administer
33 within the county all forms of public assistance and welfare
34 services. The county department shall comply with such
35 regulations and submit such reports as may be established or
36 required by the state department. Subject to the approval of the
37 state department, the county department may cooperate with other
38 departments, agencies and institutions, state and local, when so
39 requested, in performing services in conformity with the
40 provisions of this chapter.

41 In counties having two (2) judicial districts, the Executive
42 Director of the Mississippi Department of Human Services may
43 create and establish in each of the judicial districts a separate
44 county department of human services which shall consist of a
45 director of human services and such other personnel as may be
46 necessary for the efficient performance of the duties of the
47 department thus established. In such cases the two (2)
48 departments so established shall be dealt with as though each is a
49 separate and distinct county department of human services, and
50 each of the departments and each of the directors shall operate
51 and have jurisdiction coextensive with the boundaries of the
52 judicial district in which it is established; and, also, in such
53 cases the words "county" and "director of human services" when
54 used in this chapter shall, where applicable, mean each judicial
55 district, and the director of human services appointed therefor;
56 and where the board of supervisors is authorized to appropriate
57 funds or provide office space or like assistance for one (1)
58 county human services department or director, such board may, as
59 the case may be, appropriate the amount specified by law or render
60 the assistance required by law to each of the departments or
61 directors. Provided, however, that the Executive Director of the

62 Mississippi Department of Human Services shall not create and
63 establish a separate county department of human services pursuant
64 to this paragraph in any county in which such separate county
65 department of human services is not in existence on January 1,
66 1983. Provided further, that in any county having two (2) county
67 departments of human services on January 1, 1983, but only one (1)
68 county director of human services on said date, the Executive
69 Director of the Mississippi Department of Human Services shall not
70 authorize and establish the second position of county director of
71 human services in such county.

72 In any county not having two (2) judicial districts which is
73 greater than fifty (50) miles in length, the Executive Director of
74 the Mississippi Department of Human Services may establish one (1)
75 branch office of the county department of human services which
76 shall be staffed with existing employees and administrative staff
77 of such county department for not less than four (4) days per
78 week.

79 SECTION 2. This act shall take effect and be in force from
80 and after July 1, 2001.