HOUSE BILL NO. 774
(As Sent to Governor)

AN ACT TO AMEND SECTION 43-17-37, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE MISSISSIPPI REDUCING OUT-OF-WEDLOCK PREGNANCIES INCENTIVE GRANT FUND; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 43-17-37, Mississippi Code of 1972, is amended as follows:

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

(2) The Department of Human Services shall make annual awards from the fund to the top five (5) counties with the greatest reduction in out-of-wedlock births without an increase in abortions in each of the following categories:
(a) One Hundred Thousand Dollars ($100,000.00) in counties which had two hundred fifty (250) or fewer total live births;

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

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

(3) Determination of the recipient counties will be based on an average of the previous two (2) years' out-of-wedlock birth rates compared to the previous two-year average, and the number of abortions performed on county residents compared to the number for calendar year 1998 as reported by the State Department of Health. In order to qualify for the award funds, the reduction in the out-of-wedlock birth rate shall be at least three percent (3%).

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

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

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

(b) The county must submit a report to the Department of Human Services on the methods used to achieve the reduction in out-of-wedlock births, and submit a separate report to the department explaining how the incentive award was spent.
(6) If the fund is not adequate to make the distributions presented under this section, the department may award funds to counties on a reduced pro rata basis.

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

(8) This section shall stand repealed from and after December 31, 2005.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.