

By: Representative Scott (80th)

To: Juvenile Justice;
Appropriations

HOUSE BILL NO. 1247

1 AN ACT TO ESTABLISH A MOTIVATING PARENTS AND CHILDREN
2 (M.P.A.C.) PILOT PROGRAM WITHIN THE STATE DEPARTMENT OF EDUCATION
3 FOR THE PURPOSE OF MAKING GRANTS TO SCHOOL DISTRICTS THAT PROVIDE
4 PARENTAL INVOLVEMENT SERVICES TO FAMILIES OF COMPULSORY-SCHOOL-AGE
5 CHILDREN RESIDING IN SUCH SCHOOL DISTRICT; TO SET FORTH THE
6 PURPOSES OF THE M.P.A.C. PILOT PROGRAM; TO AUTHORIZE THE STATE
7 DEPARTMENT OF EDUCATION TO DEVELOP AND IMPLEMENT THE M.P.A.C.
8 PILOT PROGRAM; TO PRESCRIBE THE BASIC COMPONENTS OF SERVICES TO BE
9 OFFERED BY SCHOOL DISTRICTS UNDER THE M.P.A.C. PILOT PROGRAM; TO
10 PROVIDE AN APPLICATION AND SELECTION PROCEDURE FOR SCHOOL
11 DISTRICTS PARTICIPATING IN THE M.P.A.C. PILOT PROGRAM; TO AMEND
12 SECTION 37-11-53, MISSISSIPPI CODE OF 1972, TO REQUIRE PARENTS TO
13 ATTEND CONFERENCES AND OTHER FUNCTIONS OF SCHOOL DISTRICTS
14 PARTICIPATING IN THE M.P.A.C. PILOT PROGRAM; TO AMEND SECTION
15 63-1-10, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILDREN UNDER
16 18 RESIDING IN SCHOOL DISTRICTS PARTICIPATING IN THE M.P.A.C.
17 PILOT PROGRAM WHO WITHDRAW FROM SCHOOL MAY HAVE THEIR DRIVER'S
18 LICENSE SUSPENDED; TO AMEND SECTION 63-1-46, MISSISSIPPI CODE OF
19 1972, TO EXEMPT SUCH MINORS FROM LICENSE REINSTATEMENT FEES; TO
20 AMEND SECTION 63-1-53, MISSISSIPPI CODE OF 1972, IN CONFORMITY
21 THERETO; AND FOR RELATED PURPOSES.

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

23 **SECTION 1.** (1) The Legislature finds that:

24 (a) Students who exhibit serious behavior problems in
25 school become juvenile and adult offenders;

26 (b) A major contributing factor to this problem is a
27 lack of positive parental involvement with both their children and
28 school personnel;

29 (c) Growing numbers of children live in conditions that
30 place them at risk of school failure;

31 (d) The provision of school and support services to
32 these children and their families by public and nonprofit agencies
33 is fragmented and does not prepare these children to learn
34 effectively and have a successful school experience;

35 (e) The lack of collaboration among schools, families,
36 local agencies and other groups involved in family support and



37 youth development activities results in the inefficient and
38 ineffective use of resources to meet the needs of these children;

39 (f) Schools are dedicating an increasing amount of
40 their time and resources to responding to disruptive and violent
41 behavior rather than fulfilling their mission to challenge with
42 high expectations each child to learn, to achieve and to fulfill
43 his or her potential;

44 (g) The relationships between school failure,
45 disruptive and violent behavior in schools, unemployment and
46 criminal behavior are clear;

47 (h) Responding to the needs of students who are at risk
48 of school failure and providing for a safe and secure learning
49 environment are cost-effective because it enables the state to
50 substitute preventive measures for expensive and reactionary
51 crisis intervention through use of co-location of services and
52 repositioning of staff; and

53 (i) Differing local needs and local resources
54 necessitate the development of locally generated, community-based
55 plans that coordinate and leverage existing resources, not the
56 imposition of uniform and inflexible state-mandated plans.

57 (2) There is established within the State Department of
58 Education the Motivating Parents and Children (M.P.A.C.) pilot
59 program. The purposes of the program are: (a) to provide grants
60 to certain local school districts for innovative local programs
61 that target juvenile crime by coordinating school and support
62 services to children-at-risk and their families with required
63 parental involvement; (b) enhance educational attainment through
64 coordinated services to respond to the needs of students who are
65 at risk of school failure and at risk of participation in juvenile
66 crime; and (c) provide a safe and secure learning environment.

67 (3) The Motivating Parents and Children (M.P.A.C.) pilot
68 program described in this section shall be conducted in six (6)
69 school districts selected by the State Superintendent of Public



70 Education with the approval of the State Board of Education, which
71 school districts shall represent the different geographical areas,
72 population levels and economic levels of the state. Three (3)
73 districts shall be selected from urban areas of the state and
74 three (3) districts shall be selected from rural areas of the
75 state. The department shall give preference to school districts
76 that express a desire to participate in the pilot program. The
77 program shall apply to all compulsory-school-age children residing
78 in the pilot school districts and their custodial and noncustodial
79 parents or legal guardians.

80 (4) The State Department of Education shall develop policies
81 and procedures to administer the Motivating Parents and Children
82 (M.P.A.C.) pilot programs.

83 (5) The selected pilot school districts shall implement the
84 M.P.A.C. program, and in doing so shall:

85 (a) Employ a District M.P.A.C. Program Coordinator who
86 will be responsible for planning and coordinating activities for
87 parents of school children, and the delivery of integrated and
88 comprehensive services to children and their families;

89 (b) Employ three (3) home-school coordinators, one (1)
90 each to be assigned to the high schools, middle schools and
91 elementary schools within the district;

92 (c) Develop and implement a program of family support
93 services that is school-based and/or school-linked designed
94 according to the Communities In Schools (CIS) model. The CIS
95 model is a well-known national dropout prevention model that has
96 developed effective and proven step-by-step guidelines that can be
97 used to increase parent and community involvement. The M.P.A.C.
98 program services provided shall include a community advisory
99 board, private/public partnerships, an assessment of community
100 needs, co-location of services, repositioned staff, parenting
101 classes that would include parent-child activities, and a
102 structured plan for referrals and evaluation. The M.P.A.C. pilot



103 program also may provide after-school care, adult literacy
104 programs, early childhood education for children in high risk
105 populations, alternate learning programs, peer mediation and
106 conflict resolution activities;

107 (d) Train the M.P.A.C. program staff in the CIS model.
108 Principles and practices evaluated and proven effective shall be
109 incorporated into the program design. Upon determination of the
110 pilot sites involved, an orientation must be provided to all
111 district staff. In addition, staff must be trained and developed
112 on an ongoing basis to ensure maximum coordination and cooperation
113 with emphasis placed on learning how to effectively work with
114 parents to enhance their participation level. The M.P.A.C.
115 program services shall be designed to: (i) prepare children to
116 attain academic and social success; (ii) enhance the ability of
117 families to become advocates for and supporters of education for
118 the children in their families; (iii) provide parenting classes to
119 the parents of children who are at risk of school failure; (iv)
120 provide adult literacy and employability skills classes for
121 parents; (v) serve as a referral source for children and their
122 families to ensure that needed services are accessed by the
123 family; and (vi) otherwise enhance the ability of families to
124 function as nurturing and effective family units;

125 (e) Require a parent or guardian to spend a day in
126 school with his child after violation of a major rule. Such
127 action would be taken when the rule violated is major but not
128 serious enough to warrant expulsion in order to invite parental
129 intervention before a child is suspended or expelled. The parent
130 or guardian may be required either to attend class with his child
131 for a full day or to attend parenting classes offered at alternate
132 times to accommodate the parent's or guardian's work schedules and
133 transportation issues. Failure to attend one (1) of the options
134 will result in suspension of the child;



135 (f) Create an incentive program for children whose
136 parent or guardian attends meetings of PTA/PTOs, parenting
137 classes, and volunteers a minimum of ten (10) hours in the
138 classroom. Examples of an incentive program are: (i) the
139 issuance of an activity card that grants the child full admission
140 to all school-sponsored activities such as football and basketball
141 games; and (ii) exemption from certain classroom or laboratory
142 fees as determined feasible by the local school board;

143 (g) Create a program using volunteers to provide child
144 care services for parents who volunteer, attend parenting classes,
145 and attend after-school or evening programs;

146 (h) Create a summer employability skills/on-the-job
147 training (OJT) fund. These funds may be expended by local school
148 boards to provide job opportunities for juniors and seniors in
149 high school. Employers and nonprofit organizations who
150 participate in "Adopt-a-School" programs may qualify to employ
151 such students during the summer. Wages up to Seven Dollars
152 (\$7.00) per hour will be paid from the fund to eligible students
153 who work for the employers or nonprofit organizations who are
154 committed to participating in the "Adopt-a-School" program within
155 the next school year; and

156 (i) Require the pilot school districts to conduct a
157 family needs assessment (FNA) once every three (3) years. The
158 assessment should be coordinated with other community
159 organizations such as Head Start to encourage collaboration and
160 lessen duplication.

161 (6) (a) A local school district may apply for a Motivating
162 Parents and Children (M.P.A.C.) pilot program grant, or up to
163 three (3) adjacent local school districts may apply jointly for a
164 grant.

165 (b) The application shall include the following
166 information:



167 (i) Data on the incidence of juvenile crime in the
168 geographical area to be served by the grant. Sources of data may
169 include the youth court in the county, the district attorney and
170 local law enforcement officials;

171 (ii) An assessment of local resources from all
172 sources for, and local deficiencies with regard to, responding to
173 the needs of children who live in conditions that place them at
174 risk of school failure; and

175 (iii) A detailed plan for removing barriers to
176 success in school that exist for these children and coordinating
177 services for parents and children as authorized under this
178 section.

179 (7) In reviewing grant applications, the State
180 Superintendent of Public Education shall consider the prevalence
181 of under-served students and families in low-income neighborhoods
182 and in isolated rural areas in the area for which the grant is
183 requested, the severity of the local problems with regard to
184 children at risk of school failure and with regard to school
185 discipline, whether the proposed program meets state standards,
186 and the likelihood that the locally designed plan will deal with
187 the problems successfully. During the review process, the
188 superintendent may recommend modifications in grant applications
189 to applicants. The superintendent shall submit recommendations to
190 the State Board of Education as to which applicants should receive
191 grants and the amount they should receive.

192 In selecting grant recipients, the State Board of Education
193 shall consider: (a) the recommendations of the superintendent;
194 (b) the geographic location of the applicants; and (c) the
195 demographic profile of the applicants. After considering these
196 factors, the State Board of Education shall give priority to grant
197 applications that will serve areas that have a high incidence of
198 juvenile crime to serve as models for other communities. The
199 State Board of Education shall select the grant recipients before



200 July 1, 2004, for local programs that will be in operation at the
201 beginning of the 2004-2005 school year, and thereafter, before
202 July 1 for the appropriate school year.

203 A grant recipient may request a modification of a grant or
204 additional funds to implement a grant through the grant
205 application process. The request shall be reviewed and accepted
206 or rejected in the same manner as a grant application.

207 (8) The State Department of Education shall administer the
208 grant program under the direction of the State Board of Education.
209 The State Department of Education shall provide technical
210 assistance to grant applicants and recipients.

211 (9) All agencies of the state and local government,
212 including departments of human services, health departments, local
213 mental health, mental retardation, court personnel, law
214 enforcement agencies and municipalities and counties shall
215 cooperate with the State Department of Education and local school
216 boards that receive grants by co-locating services and
217 repositioning staff.

218 (10) The Department of Education shall develop and implement
219 an evaluation system, under the direction of the State Board of
220 Education, that will assess the efficiency and effectiveness of
221 the M.P.A.C. program.

222 (11) Any child in a pilot school district who is suspended
223 from school shall have his driver's license suspended for one (1)
224 calendar year by the Mississippi Department of Public Safety.

225 **SECTION 2.** Section 37-11-53, Mississippi Code of 1972, is
226 amended as follows:

227 37-11-53. (1) A copy of the school district's discipline
228 plan shall be distributed to each student enrolled in the
229 district, and the parents, guardian or custodian of such student
230 shall sign a statement verifying that they have been given notice
231 of the discipline policies of their respective school district.
232 The school board shall have its official discipline plan and code



233 of student conduct legally audited on an annual basis to insure
234 that its policies and procedures are currently in compliance with
235 applicable statutes, case law and state and federal constitutional
236 provisions. As part of the first legal audit occurring after July
237 1, 2001, the provisions of this section, Section 37-11-55 and
238 Section 37-11-18.1 shall be fully incorporated into the school
239 district's discipline plan and code of student conduct.

240 (2) All discipline plans of school districts shall include,
241 but not be limited to, the following:

242 (a) A parent, guardian or custodian of a
243 compulsory-school-age child enrolled in a public school district
244 shall be responsible financially for his or her minor child's
245 destructive acts against school property or persons;

246 (b) A parent, guardian or custodian of a
247 compulsory-school-age child enrolled in a public school district
248 may be requested to appear at school by the school attendance
249 officer or an appropriate school official for a conference
250 regarding acts of the child specified in paragraph (a) of this
251 subsection, or for any other discipline conference regarding the
252 acts of the child;

253 (c) Any parent, guardian or custodian of a
254 compulsory-school-age child enrolled in a school district who
255 refuses or willfully fails to attend such discipline conference
256 specified in paragraph (b) of this section may be summoned by
257 proper notification by the superintendent of schools or the school
258 attendance officer and be required to attend such discipline
259 conference or parenting classes scheduled to accommodate the
260 working hours and transportation needs of the parent, guardian or
261 custodian; * * *

262 (d) A parent, guardian or custodian of a
263 compulsory-school-age child enrolled in a public school district
264 shall be responsible for any criminal fines brought against such



265 student for unlawful activity occurring on school grounds or
266 buses; and

267 (e) A parent, guardian or custodian of a
268 compulsory-school-age child enrolled in a public school in a
269 school district participating in a Motivating Parents and Children
270 (M.P.A.C.) grant program, as provided in House Bill No. , 2003
271 Regular Session, who has been summoned by proper notification by
272 an appropriate school official to attend a conference, school
273 meeting, after-school meeting or class regarding the acts of such
274 child or parent specified under the program shall be required to
275 attend such conference, school meeting, after-school meeting or
276 class, provided that scheduling is sensitive to the parent's work
277 hours and transportation needs.

278 (3) Any parent, guardian or custodian of a
279 compulsory-school-age child who (a) fails to attend a discipline
280 conference to which such parent, guardian or custodian has been
281 summoned under the provisions of this section, or (b) refuses or
282 willfully fails to perform any other duties imposed upon him or
283 her under the provisions of this section, shall first be given the
284 opportunity to enroll in a series of parenting classes consisting
285 of not less than twenty (20) hours of instruction as developed by
286 the M.P.A.C. program coordinator and appropriate to the age of the
287 parent's child. If the parent does not attend the series of
288 classes, the parent shall be guilty of a misdemeanor and, upon
289 conviction, shall be fined not to exceed Two Hundred Fifty Dollars
290 (\$250.00).

291 (4) Any public school district shall be entitled to recover
292 damages in an amount not to exceed Twenty Thousand Dollars
293 (\$20,000.00), plus necessary court costs, from the parents of any
294 minor under the age of eighteen (18) years and over the age of six
295 (6) years, who maliciously and willfully damages or destroys
296 property belonging to such school district. However, this section
297 shall not apply to parents whose parental control of such child



298 has been removed by court order or decree. The action authorized
299 in this section shall be in addition to all other actions which
300 the school district is entitled to maintain and nothing in this
301 section shall preclude recovery in a greater amount from the minor
302 or from a person, including the parents, for damages to which such
303 minor or other person would otherwise be liable.

304 (5) A school district's discipline plan may provide that as
305 an alternative to suspension, a student may remain in school by
306 having the parent, guardian or custodian, with the consent of the
307 student's teacher or teachers, attend class with the student for a
308 period of time specifically agreed upon by the reporting teacher
309 and school principal. If the parent, guardian or custodian does
310 not agree to attend class with the student or fails to attend
311 class with the student, the student shall be suspended in
312 accordance with the code of student conduct and discipline
313 policies of the school district.

314 **SECTION 3.** Section 63-1-10, Mississippi Code of 1972, is
315 amended as follows:

316 63-1-10. (1) Any applicant for a license under eighteen
317 (18) years of age must submit with the application documentation
318 from the appropriate authority that the applicant is in compliance
319 with Section 63-1-9(g). The appropriate authority shall be the
320 school principal of a public or private school or his designee,
321 or, in the case of a home study program, the parent, or the adult
322 education supervisor of the General Education Development Program
323 or his designee. Documentation of the applicant's enrollment
324 status shall be on a form designed by the Department of Education
325 as approved by the Department of Public Safety in a manner that
326 insures the authenticity of the form and any information or
327 signature contained thereon. Any student who is eligible to apply
328 for a license and who is properly enrolled in a school under the
329 jurisdiction of the authority is entitled to receive the
330 documentation for presentation to the Department of Public Safety



331 to accompany the application. The forms required under this
332 section to provide documentation shall be made available to public
333 schools, private schools approved by the State Board of Elementary
334 and Secondary Education, and adult education supervisors at school
335 board offices and shall be made available to others through the
336 Department of Public Safety.

337 (2) Whenever an applicant who is under eighteen (18) years
338 of age is unable to attend any school program due to acceptable
339 circumstances, the appropriate authority where the student last
340 attended shall provide the student with documentation to present
341 to the department to excuse such student from the provisions of
342 Section 63-1-9(g). The appropriate authority shall be the sole
343 judge of whether withdrawal of a student or failure of a student
344 to attend is due to acceptable circumstances. Suspension or
345 expulsion from school or incarceration in a correctional
346 institution is not an acceptable circumstance for a person being
347 unable to attend school.

348 (3) Any person denied a license for failure to satisfy the
349 education requirements of Section 63-1-9(g) shall have the right
350 to file a request within thirty (30) days thereafter for a hearing
351 before the Department of Public Safety to determine whether the
352 person is entitled to a license or is subject to the cancellation
353 of his license under the provisions of this section. The hearing
354 shall be held within ten (10) days of the receipt by the
355 department of the request. Appeal from the decision of the
356 department may be taken under Section 63-1-31.

357 (4) Whenever a licensee under the age of eighteen (18) who
358 resides in a school district participating in the Motivating
359 Parents and Children (M.P.A.C.) program provided under House Bill
360 No. _____, 2003 Regular Session, and who has not attained a diploma
361 or other certificate of graduation withdraws or is suspended from
362 his educational instruction, the attendance counselor, parent,
363 guardian or school administrator designated by the State Board of



364 Education to verify the applicant's educational status under the
365 provisions of the program, in his discretion, may notify
366 immediately the Department of Public Safety of such withdrawal or
367 suspension. Within five (5) days of receipt of such notice, the
368 Department of Public Safety shall send notice to the licensee that
369 the license shall automatically be suspended for one (1) year
370 under Section 63-1-53 on the thirtieth day following the date the
371 notice was sent unless documentation of compliance with subsection
372 (2) of this section is received by the department before such
373 time. For the purposes of this subsection, withdrawal shall be
374 defined as more than ten (10) consecutive unexcused and unlawful
375 absences during a single semester for school-age applicants under
376 the age of eighteen (18) attending school.

377 **SECTION 4.** Section 63-1-46, Mississippi Code of 1972, is
378 amended as follows:

379 63-1-46. (1) A fee of Twenty-five Dollars (\$25.00) shall be
380 charged for the reinstatement of a license issued pursuant to this
381 article to every person whose license has been validly suspended,
382 revoked or cancelled, except those persons whose licenses were
383 suspended under Section 63-1-53(1)(k). This fee shall be in
384 addition to the fee provided for in Section 63-1-43, Mississippi
385 Code of 1972.

386 (2) The funds received under the provisions of subsection
387 (1) of this section shall be deposited into the State General Fund
388 in accordance with Section 45-1-23, Mississippi Code of 1972.

389 (3) In addition to the fee provided for in subsection (1) of
390 this section, an additional fee of Seventy-five Dollars (\$75.00)
391 shall be charged for the reinstatement of a license issued
392 pursuant to this article to every person whose license has been
393 suspended or revoked under the provisions of the Mississippi
394 Implied Consent Law or as a result of a conviction of a violation
395 of the Uniform Controlled Substances Law under the provisions of
396 Section 63-1-71.



397 (4) The funds received under the provisions of subsection
398 (3) of this section shall be placed in a special fund hereby
399 created in the State Treasury. Monies in such special fund may be
400 expended solely to contribute to the Disability and Relief Fund
401 for members of the Mississippi Highway Safety Patrol such amounts
402 as are necessary to make sworn agents of the Mississippi Bureau of
403 Narcotics who were employed by such bureau prior to December 1,
404 1990, and who were subsequently employed as enforcement troopers
405 by the Department of Public Safety, full members of the retirement
406 system for the Mississippi Highway Safety Patrol with full credit
407 for the time they were employed as sworn agents for the
408 Mississippi Bureau of Narcotics. The Board of Trustees of the
409 Public Employees' Retirement System shall certify to the State
410 Treasurer the amounts necessary for the purposes described above.
411 The State Treasurer shall monthly transfer from the special fund
412 created pursuant to this subsection the amounts deposited in such
413 special fund to the Disability and Relief Fund for members of the
414 Mississippi Highway Safety Patrol until such time as the certified
415 amount has been transferred. At such time as the certified amount
416 has been transferred, the State Treasurer shall transfer any funds
417 remaining in the special fund created pursuant to this subsection
418 to the State General Fund and shall then dissolve such special
419 fund. This subsection (4) of Section 63-1-46 shall stand repealed
420 at such time when the State Treasurer transfers funds and
421 dissolves the special fund account in accordance with the
422 provisions of this subsection.

423 (5) The procedure for the reinstatement of a license issued
424 pursuant to this article that has been suspended for being out of
425 compliance with an order for support, as defined in Section
426 93-11-153, and the payment of any fees for the reinstatement of a
427 license suspended for that purpose, shall be governed by Section
428 93-11-157 or 93-11-163, as the case may be.



429 **SECTION 5.** Section 63-1-53, Mississippi Code of 1972, is
430 amended as follows:

431 63-1-53. (1) Upon failure of any person to respond timely
432 and properly to a summons or citation charging such person with
433 any violation of this title, or upon failure of any person to pay
434 timely any fine, fee or assessment levied as a result of any
435 violation of this title, the clerk of the court shall give written
436 notice to such person by United States first class mail at his
437 last known address advising such person that if within ten (10)
438 days after such notice is deposited in the mail the person has not
439 properly responded to the summons or citation or has not paid the
440 entire amount of all fines, fees and assessments levied, then the
441 court will give notice thereof to the Commissioner of Public
442 Safety and the commissioner may suspend the driver's license of
443 such person. The actual cost incurred by the court in the giving
444 of such notice may be added to any other court costs assessed in
445 such case. If within ten (10) days after the notice is given in
446 accordance with this subsection such person has not satisfactorily
447 disposed of the matter pending before the court, then the clerk of
448 the court immediately shall mail a copy of the abstract of the
449 court record, along with a certified copy of the notice given
450 under this subsection, to the Commissioner of Public Safety, and
451 the commissioner may suspend the driver's license of such person
452 as authorized under subsections (2) and (3) of this section.

453 (2) The commissioner is hereby authorized to suspend the
454 license of an operator without preliminary hearing upon a showing
455 by his records or other sufficient evidence that the licensee:

456 (a) Has committed an offense for which mandatory
457 revocation of license is required upon conviction except under the
458 provisions of the Mississippi Implied Consent Law;

459 (b) Has been involved as a driver in any accident
460 resulting in the death or personal injury of another or serious
461 property damage;



462 (c) Is an habitually reckless or negligent driver of a
463 motor vehicle;

464 (d) Has been convicted with such frequency of serious
465 offenses against traffic regulations governing the movement of
466 vehicles as to indicate a disrespect for traffic laws and a
467 disregard for the safety of other persons on the highways;

468 (e) Is incompetent to drive a motor vehicle;

469 (f) Has permitted an unlawful or fraudulent use of such
470 license;

471 (g) Has committed an offense in another state which if
472 committed in this state would be grounds for suspension or
473 revocation;

474 (h) Has failed to pay any fine, fee or other assessment
475 levied as a result of any violation of this title;

476 (i) Has failed to respond to a summons or citation
477 which charged a violation of this title; * * *

478 (j) Has committed a violation for which mandatory
479 revocation of license is required upon conviction, entering a plea
480 of nolo contendere to, or adjudication of delinquency, pursuant to
481 the provisions of subsection (1) of Section 63-1-71; or

482 (k) Is under the age of eighteen (18) and has withdrawn
483 or been suspended from his educational instruction program
484 pursuant to Section 63-1-10(4).

485 (3) Notice that a person's license is suspended or will be
486 suspended under subsection (2) of this section shall be given by
487 the commissioner in the manner and at the time provided for under
488 Section 63-1-52, and upon such person's request, he shall be
489 afforded an opportunity for a hearing as early as practical within
490 not to exceed twenty (20) days after receipt of such request in
491 the county wherein the licensee resides unless the department and
492 the licensee agree that such hearing may be held in some other
493 county. Upon such hearing the commissioner, or his duly
494 authorized agent, may administer oaths and may issue subpoenas for



495 the attendance of witnesses and the production of relevant books
496 and papers and may require a reexamination of the licensee. Upon
497 such hearing the commissioner shall either rescind any order of
498 suspension or, good cause appearing therefor, may extend any
499 suspension of such license or revoke such license.

500 **SECTION 6.** This act shall take effect and be in force from
501 and after July 1, 2003.

