

By: Representative Holland

To: Public Health and Human Services; Appropriations

HOUSE BILL NO. 810

1 AN ACT TO AMEND SECTION 43-1-4, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES TO PERFORM
3 CRIMINAL RECORD BACKGROUND CHECKS ON ITS EMPLOYEES AND VOLUNTEERS;
4 AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 43-1-4, Mississippi Code of 1972, is
7 amended as follows:

8 43-1-4. The Department of Human Services shall have the
9 following powers and duties:

10 (a) To provide basic services and assistance statewide
11 to needy and disadvantaged individuals and families.

12 (b) To promote integration of the many services and
13 programs within its jurisdiction at the client level thus
14 improving the efficiency and effectiveness of service delivery and
15 providing easier access to clients.

16 (c) To develop a statewide comprehensive service
17 delivery plan in coordination with the Board of Health, the Board
18 of Mental Health, and the Department of Finance and
19 Administration. Such plan shall be developed and presented to the
20 Governor by January 1, 1990.

21 (d) To employ personnel and expend funds appropriated
22 to the department to carry out the duties and responsibilities
23 assigned to the department by law.

24 (e) To fingerprint and perform a criminal history
25 record check on every employee or volunteer (i) who has direct
26 access to clients of the department who are children or vulnerable
27 adults, or (ii) who are in a position of fiduciary responsibility.
28 Every such employee and volunteer shall provide a valid current

29 social security number and or driver's license number which shall
30 be furnished to conduct the criminal history record check. If no
31 disqualifying record is identified at the state level,
32 fingerprints shall be forwarded to the Federal Bureau of
33 Investigation for a national criminal history record check.

34 **SECTION 2.** This act shall take effect and be in force from
35 and after July 1, 2005.