

By: Senator(s) Simmons

To: Education;  
Appropriations

SENATE BILL NO. 2314

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 hereby established within the State Department  
58 of Education the Motivating Parents and Children (M.P.A.C.) pilot  
59 program. The purpose of the program is (a) to provide grants to  
60 certain local school districts for innovative local programs that  
61 target juvenile crime by coordinating school and support services  
62 to children-at-risk and their families with required parental  
63 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 Education

70 with the approval of the State Board of Education, which school  
71 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 program.

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) licensed social workers and three  
90 (3) certified guidance counselors, one (1) each to be assigned to  
91 the high schools, middle schools and elementary schools within the  
92 district who will work in conjunction to assist families in  
93 resolving social and other problems that may impact the child's  
94 school performance.

95 (c) Develop and implement a program of family support  
96 services that is school-based and/or school-linked designed  
97 according to the Communities In Schools (CIS) model. The CIS  
98 model is a well-known national dropout prevention model that has  
99 developed effective and proven step-by-step guidelines that can be  
100 used to increase parent and community involvement. The M.P.A.C.  
101 program services provided shall include a community advisory  
102 board, private/public partnerships, an assessment of community

103 needs, co-location of services, repositioned staff, parenting  
104 classes that would include parent-child activities, and a  
105 structured plan for referrals and evaluation. The M.P.A.C. pilot  
106 program may also provide after-school care, adult literacy  
107 programs, early childhood education for children in high-risk  
108 populations, alternate learning programs, peer mediation and  
109 conflict resolution activities.

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

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

136 transportation issues. Failure to attend one (1) of the options  
137 will result in suspension of the child.

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

146 (g) Create a program using volunteers to provide child  
147 care services for parents who volunteer, attend parenting classes,  
148 and attend after-school or evening programs.

149 (h) Create a summer employability skills/on-the-job  
150 training (OJT) fund, utilizing TANF and other federal  
151 welfare-to-work program funds. These funds may be expended by  
152 local school boards to provide job opportunities for juniors and  
153 seniors in high school. Employers and nonprofit organizations who  
154 participate in "Adopt-a-School" programs may qualify to employ  
155 such students during the summer. Wages up to Seven Dollars  
156 (\$7.00) per hour will be paid from the fund to eligible students  
157 who work for the employers or nonprofit organizations who are  
158 committed to participating in the "Adopt-a-School" program within  
159 the next school year.

160 (i) Require the pilot school districts to conduct a  
161 family needs assessment (FNA) using social workers and licensed  
162 counselors once every three (3) years. The assessment should be  
163 coordinated with other community organizations such as Head Start  
164 to encourage collaboration and lessen duplication.

165 (6) (a) A local school district may apply for a Motivating  
166 Parents and Children (M.P.A.C.) pilot program grant, and up to  
167 three (3) adjacent local school districts may apply jointly for a  
168 grant.

169 (b) The application shall include the following  
170 information:

171 (i) Data on the incidence of juvenile crime in the  
172 geographical area to be served by the grant. Sources of data may  
173 include the youth court in the county, the district attorney and  
174 local law enforcement officials.

175 (ii) An assessment of local resources from all  
176 sources for, and local deficiencies with regard to, responding to  
177 the needs of children who live in conditions that place them at  
178 risk of school failure.

179 (iii) A detailed plan for removing barriers to  
180 success in school that exist for these children and coordinating  
181 services for parents and children as authorized under this  
182 section.

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

196 In selecting grant recipients, the State Board of Education  
197 shall consider (a) the recommendations of the superintendent, (b)  
198 the geographic location of the applicants, and (c) the demographic  
199 profile of the applicants. After considering these factors, the  
200 State Board of Education shall give priority to grant applications  
201 that will serve areas that have a high incidence of juvenile crime

202 to serve as models for other communities. The State Board of  
203 Education shall select the grant recipients prior to July 1, 2006,  
204 for local programs that will be in operation at the beginning of  
205 the 2006-2007 school year, and prior to July 1 and thereafter for  
206 the appropriate school year.

207 A grant recipient may request a modification of a grant or  
208 additional funds to implement a grant through the grant  
209 application process. The request shall be reviewed and accepted  
210 or rejected in the same manner as a grant application.

211 (8) The State Department of Education shall administer the  
212 grant program under the direction of the State Board of Education.  
213 The State Department of Education shall provide technical  
214 assistance to grant applicants and recipients.

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

222 (10) The Department of Education shall develop and implement  
223 an evaluation system, under the direction of the State Board of  
224 Education, that will assess the efficiency and effectiveness of  
225 the M.P.A.C. program.

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

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

231 37-11-53. (1) A copy of the school district's discipline  
232 plan shall be distributed to each student enrolled in the  
233 district, and the parents, guardian or custodian of such student  
234 shall sign a statement verifying that they have been given notice

235 of the discipline policies of their respective school district.  
236 The school board shall have its official discipline plan and code  
237 of student conduct legally audited on an annual basis to insure  
238 that its policies and procedures are currently in compliance with  
239 applicable statutes, case law and state and federal constitutional  
240 provisions. As part of the first legal audit occurring after July  
241 1, 2001, the provisions of this section, Section 37-11-55 and  
242 Section 37-11-18.1 shall be fully incorporated into the school  
243 district's discipline plan and code of student conduct.

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

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

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

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

266 (d) A parent, guardian or custodian of a  
267 compulsory-school-age child enrolled in a public school district



268 shall be responsible for any criminal fines brought against such  
269 student for unlawful activity occurring on school grounds or  
270 buses; and

271 (e) A parent, guardian or custodian of a  
272 compulsory-school-age child enrolled in a public school in a  
273 school district participating in a Motivating Parents and Children  
274 (M.P.A.C.) grant program as provided in Senate Bill No. 2314, 2006  
275 Regular Session, who has been summoned by proper notification by  
276 an appropriate school official to attend a conference, school  
277 meeting, after-school meeting or class regarding the acts of such  
278 child or parent specified under said program shall be required  
279 under this provision to attend such conference, school meeting,  
280 after-school meeting or class, provided that scheduling is  
281 sensitive to the parent's work hours and transportation needs.

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

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

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

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

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

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

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

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

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

360 (4) Whenever a licensee under the age of eighteen (18) who  
361 resides in a school district participating in the Motivating  
362 Parents and Children (M.P.A.C.) program provided under Senate Bill  
363 No. 2314, 2006 Regular Session, and who has not attained a diploma  
364 or other certificate of graduation as prescribed in Section  
365 63-1-19(2), withdraws or is suspended from his educational  
366 instruction, the attendance counselor, social worker, parent,

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

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

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

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

394       (3) In addition to the fee provided for in subsection (1) of  
395 this section, an additional fee of Seventy-five Dollars (\$75.00)  
396 shall be charged for the reinstatement of a license issued  
397 pursuant to this article to every person whose license has been  
398 suspended or revoked under the provisions of the Mississippi  
399 Implied Consent Law or as a result of a conviction of a violation

400 of the Uniform Controlled Substances Law under the provisions of  
401 Section 63-1-71.

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

427 (5) The procedure for the reinstatement of a license issued  
428 pursuant to this article that has been suspended for being out of  
429 compliance with an order for support, as defined in Section  
430 93-11-153, and the payment of any fees for the reinstatement of a  
431 license suspended for that purpose, shall be governed by Section  
432 93-11-157 or 93-11-163, as the case may be.

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

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

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

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

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

466 (c) Is an habitually reckless or negligent driver of a  
467 motor vehicle;

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

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

473 (f) Has permitted an unlawful or fraudulent use of such  
474 license;

475 (g) Has committed an offense in another state which if  
476 committed in this state would be grounds for suspension or  
477 revocation;

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

480 (i) Has failed to respond to a summons or citation  
481 which charged a violation of this title; \* \* \*

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

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

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

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

504         **SECTION 6.** This act shall take effect and be in force from  
505 and after July 1, 2006.