

By: Representative Flaggs

To: Juvenile Justice;
Appropriations

HOUSE BILL NO. 728

1 AN ACT TO AMEND SECTION 43-21-801, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THAT THREE MILLION DOLLARS BE APPROPRIATED TO THE YOUTH
3 COURT INCARCERATION ALTERNATIVES FUND DURING THE 2007 LEGISLATIVE
4 SESSION; TO AMEND SECTION 43-21-803, MISSISSIPPI CODE OF 1972, TO
5 REQUIRE THAT TWO MILLION DOLLARS BE APPROPRIATED TO THE TONY GOBAR
6 JUVENILE JUSTICE ALTERNATIVE SANCTIONS GRANT FUND DURING THE 2007
7 LEGISLATIVE SESSION; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 43-21-801, Mississippi Code of 1972, is
10 amended as follows:

11 43-21-801. (1) There is established the Youth Court
12 Incarceration Alternatives Fund. The purpose of the fund shall be
13 to provide funding for grants or services to Mississippi youth
14 courts to develop nonduplicative programs or support services that
15 promote uniformity of the youth court system. Programs funded
16 through the Youth Court Incarceration Alternatives Fund must be
17 nonresidential, community-based programs that incorporate
18 evidence-based practices and positive behavioral interventions.
19 Monies from this fund shall be administered by the Department of
20 Public Safety.

21 (2) Any youth court must submit an application to the
22 Department of Public Safety. The application must include a
23 description of the purpose for which assistance is requested, the
24 amount of assistance requested and any other information required
25 by the Department of Public Safety, in consultation with the
26 Department of Human Services and Administrative Office of Courts.

27 (3) There is created in the State Treasury a special fund to
28 be designated as the "Youth Court Incarceration Alternatives
29 Fund," which shall consist of funds appropriated or otherwise made

30 available by the Legislature in any manner and funds from any
31 other source designated for deposit into such fund. Unexpended
32 amounts remaining in the fund at the end of a fiscal year shall
33 not lapse into the State General Fund, and any investment earnings
34 or interest earned on amounts in the fund shall be deposited to
35 the credit of the fund. Monies in the fund shall be distributed
36 to the youth courts by the Department of Public Safety for the
37 purposes described in this section.

38 (4) During the regular legislative session held in calendar
39 year 2007 the Legislature shall appropriate Three Million Dollars
40 (\$3,000.000.00) to the Youth Court Incarceration Alternatives
41 Fund.

42 **SECTION 2.** Section 43-21-803, Mississippi Code of 1972, is
43 amended as follows:

44 43-21-803. (1) There is established the Tony Gobar Juvenile
45 Justice Alternative Sanction Grant Program for the purpose of
46 providing grants to faith-based organizations and nonprofit 501
47 (c)(3) organizations that develop and operate community-based
48 alternatives to the training schools and detention centers. In
49 order to be eligible for a grant under this section, a faith-based
50 or nonprofit 501(c)(3) organization in cooperation with a youth
51 court must develop and operate a juvenile justice alternative
52 sanction designed for delinquent youths. The program must be
53 designed to decrease reliance on commitment in juvenile detention
54 facilities and training schools. Programs must not duplicate
55 existing programs or services and must incorporate evidence-based
56 practices and positive behavioral intervention including two (2)
57 or more of the following elements: academic tutoring/literacy,
58 dropout prevention, mentoring, vocational training, substance
59 abuse treatment, family counseling and anger management, and
60 faith-based programming. Programs may include, but shall not be
61 limited to, after school and weekend programming, job readiness

62 programs, home detention programs, restitution, conflict
63 resolution programs, and community service.

64 (2) A faith-based or nonprofit 501(c)(3) must submit an
65 application to the Department of Public Safety. The application
66 must include a description of the purpose for which assistance is
67 requested, the amount of assistance requested and any other
68 information required by the Department of Public Safety in
69 consultation with the Department of Human Services.

70 (3) The Department of Public Safety shall have all powers
71 necessary to implement and administer the program established
72 under this section, and the department shall promulgate rules and
73 regulations, in accordance with the Mississippi Administrative
74 Procedures Law, necessary for the implementation of this section.

75 (4) There is created in the State Treasury a special fund to
76 be designated as the "Tony Gobar Juvenile Justice Alternative
77 Sanctions Grant Fund," which shall consist of funds appropriated
78 or otherwise made available by the Legislature in any manner and
79 funds from any other source designated for deposit into such fund.
80 Unexpended amounts remaining in the fund at the end of a fiscal
81 year shall not lapse into the State General Fund, and any
82 investment earnings or interest earned on amounts in the fund
83 shall be deposited to the credit of the fund. Monies in the fund
84 shall be used by the Department of Public Safety for the purposes
85 described in this section.

86 (5) During the regular legislative session held in calendar
87 year 2007 the Legislature shall appropriate Two Million Dollars
88 (\$2,000,000.00) to the Tony Gobar Juvenile Justice Alternative
89 Sanctions Grant Fund.

90 **SECTION 3.** This act shall take effect and be in force from
91 and after July 1, 2007.