

By: Senator(s) Turner

To: Judiciary, Division A;
Appropriations

SENATE BILL NO. 2970

1 AN ACT TO AMEND SECTIONS 43-21-801 AND 43-21-803, MISSISSIPPI
2 CODE OF 1972, TO REQUIRE THE APPROPRIATION OF \$5,000,000.00 FOR
3 COMMUNITY BASED SANCTIONS AND ALTERNATIVES TO INCARCERATION; AND
4 FOR RELATED PURPOSES.

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

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

8 43-21-801. (1) There is established the Youth Court
9 Incarceration Alternatives Fund. The purpose of the fund shall be
10 to provide funding for grants or services to Mississippi youth
11 courts to develop nonduplicative programs or support services that
12 promote uniformity of the youth court system. Programs funded
13 through the Youth Court Incarceration Alternatives Fund must be
14 nonresidential, community-based programs that incorporate
15 evidence-based practices and positive behavioral interventions.
16 Monies from this fund shall be administered by the Department of
17 Public Safety.

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

24 (3) There is created in the State Treasury a special fund to
25 be designated as the "Youth Court Incarceration Alternatives
26 Fund," which shall consist of funds appropriated or otherwise made
27 available by the Legislature in any manner and funds from any
28 other source designated for deposit into such fund. Unexpended

29 amounts remaining in the fund at the end of a fiscal year shall
30 not lapse into the State General Fund, and any investment earnings
31 or interest earned on amounts in the fund shall be deposited to
32 the credit of the fund. Monies in the fund shall be distributed
33 to the youth courts by the Department of Public Safety for the
34 purposes described in this section.

35 (4) The Legislature shall appropriate Three Million Dollars
36 (\$3,000,000.00) to the Youth Court Incarceration Alternatives Fund
37 in the 2007 Regular Session.

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

40 43-21-803. (1) There is established the Tony Gobar Juvenile
41 Justice Alternative Sanction Grant Program for the purpose of
42 providing grants to faith-based organizations and nonprofit 501
43 (c)(3) organizations that develop and operate community-based
44 alternatives to the training schools and detention centers. In
45 order to be eligible for a grant under this section, a faith-based
46 or nonprofit 501(c)(3) organization in cooperation with a youth
47 court must develop and operate a juvenile justice alternative
48 sanction designed for delinquent youths. The program must be
49 designed to decrease reliance on commitment in juvenile detention
50 facilities and training schools. Programs must not duplicate
51 existing programs or services and must incorporate evidence-based
52 practices and positive behavioral intervention including two (2)
53 or more of the following elements: academic tutoring/literacy,
54 dropout prevention, mentoring, vocational training, substance
55 abuse treatment, family counseling and anger management, and
56 faith-based programming. Programs may include, but shall not be
57 limited to, after school and weekend programming, job readiness
58 programs, home detention programs, restitution, conflict
59 resolution programs, and community service.

60 (2) A faith-based or nonprofit 501(c)(3) must submit an
61 application to the Department of Public Safety. The application

62 must include a description of the purpose for which assistance is
63 requested, the amount of assistance requested and any other
64 information required by the Department of Public Safety in
65 consultation with the Department of Human Services.

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

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

82 (5) The Legislature shall appropriate Two Million Dollars
83 (\$2,000,000.00) to the Tony Gobar Juvenile Justice Alternative
84 Sanctions Fund in the 2007 Regular Session.

85 **SECTION 3.** This act shall take effect and be in force from
86 and after passage.