

By: Senator(s) Hopson

To: Judiciary, Division B;
Appropriations

SENATE BILL NO. 2169

1 AN ACT TO CREATE THE COMMUNITY-BASED PLACEMENT FOR AT-RISK
2 CHILDREN PILOT PROGRAM IN ORDER TO PLAN FOR EARLY INTERVENTION
3 WITH AT-RISK CHILDREN IN THE COUNTY IN WHICH THE PILOT PROGRAM IS
4 LOCATED; TO ENACT STANDARDS FOR COMMUNITY-BASED HOMES; TO PROVIDE
5 STANDARDS FOR DETERMINATION OF ELIGIBILITY OF CHILDREN FOR
6 PLACEMENT UNDER THE PILOT PROGRAM; TO AUTHORIZE REASONABLE
7 REIMBURSEMENT FOR EXPENSES OF PLACEMENTS TO THE COMMUNITY-BASED
8 HOMES; TO AUTHORIZE FUNDING FOR THE PILOT PROGRAM; TO PROVIDE FOR
9 SUPERVISION OF AND REPORTING BY THE PILOT PROGRAM; AND FOR RELATED
10 PURPOSES.

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

12 **SECTION 1.** The following shall be codified as Section
13 43-21-901, Mississippi Code of 1972:

14 43-21-901. (1) There is hereby created a Community-Based
15 Placement for At-risk Children Pilot Program. The purpose of the
16 pilot program is to implement a plan for early intervention by the
17 youth court to reach at-risk children and place the children in
18 community-based homes under youth court supervision.

19 (2) (a) For the purposes of this section, "community home"
20 means a home designated by the youth court judge under this
21 section.



22 (b) In order to be designated as a community home, the
23 home must have been approved as being both safe and an environment
24 in which a child will thrive by either the court-appointed
25 guardian ad litem or the Court Appointed Special Advocate (CASA)
26 before placement of any youth in the home.

27 (c) Homes designated as community homes will be
28 recruited in the county in which the youth court has jurisdiction
29 subject to the provisions of this subsection (2).

30 (3) (a) Children eligible for placement under the pilot
31 program are those between the ages of ten (10) and fourteen (14)
32 who have been determined by the youth court to be living in an
33 environment that is either:

- 34 (i) Abusive;
35 (ii) Neglectful; or
36 (iii) That contributes to the delinquency of the
37 child.

38 (b) The factors to be used by the youth court in
39 determining the at-risk status of the child may include, but not
40 be limited to, the following:

- 41 (i) Living with a single parent who has apparently
42 either voluntarily or involuntarily lost control of the child;
43 (ii) Disciplinary problems at school;
44 (iii) Academic problems at school; or



45 (iv) Having older siblings from the same
46 environment who have been adjudicated abused, neglected or
47 delinquent.

48 (c) Placement under the program will require the
49 consent of:

- 50 (i) The custodial parent;
- 51 (ii) A person in loco parentis to the child; or
- 52 (iii) The duly appointed guardian ad litem of the
53 child.

54 (4) Compensation to the community homes for the expenses
55 incurred in the placement shall be for a fair and reasonable
56 amount as determined by the youth court.

57 (5) Funding for the pilot program shall consist of:

- 58 (a) Monies appropriated by the Legislature for the
59 purposes of funding the pilot program;
- 60 (b) Monies dedicated by action of the board of
61 supervisors for the purposes of funding the pilot program;
- 62 (c) Monies received from the federal government;
- 63 (d) Donations;
- 64 (e) Monies received from such other sources as may be
65 provided by law; or
- 66 (f) Any combination of funding set forth in this
67 subsection.



68 (6) (a) Creation of a pilot program under this section
69 shall be by order of the youth court of a county and solely
70 contingent on committed funding as set forth in this section.

71 (b) Any youth court electing to operate a pilot program
72 under this section shall report on the placements made and all
73 expenses incurred under the pilot program to the Administrative
74 Office of Courts not less than every six (6) months, and the
75 Supreme Court shall ensure that the Legislature is informed of the
76 status of the pilot program on at least an annual basis.

77 (c) The Administrative Office of Courts shall be
78 responsible for certification of advance funding and continued
79 monitoring of any Community-Based Placement for At-risk Children
80 Program created as a pilot program under the authority of this
81 section.

82 **SECTION 2.** This act shall take effect and be in force from
83 and after July 1, 2014.

