

By: Representative Dixon

To: Youth and Family  
Affairs; Appropriations

HOUSE BILL NO. 388

1 AN ACT TO AMEND SECTION 5, CHAPTER 420, LAWS OF 2017, TO  
2 INCREASE THE MAXIMUM AGE FROM 14 YEARS OF AGE TO 18 YEARS OF AGE  
3 FOR CHILDREN WHO MAY BE ELIGIBLE FOR PLACEMENT, BY A YOUTH COURT,  
4 IN A COMMUNITY-BASED PLACEMENT FOR AT-RISK CHILDREN PILOT PROGRAM  
5 IN CERTAIN COUNTIES; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 5, Chapter 420, Laws of 2017, is amended  
8 as follows:

9 Section 5. (1) There is hereby created a Community-Based  
10 Placement for At-risk Children Pilot Program for the counties of  
11 Hinds, Rankin, Madison, Warren, Yazoo, Copiah, DeSoto, Hancock and  
12 Coahoma. The purpose of the pilot program is to implement a plan  
13 for early intervention by the youth court to reach at-risk  
14 children and place the children in community-based homes under  
15 youth court supervision.

16 (2) (a) For the purposes of this section, "community home"  
17 means a home designated by the youth court judge under this  
18 section.



19 (b) In order to be designated as a community home, the  
20 home must have been approved as being both safe and an environment  
21 in which a child will thrive by Child Protective Services before  
22 placement of any youth in the home.

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

26 (3) (a) Children eligible for placement under the pilot  
27 program are those between the ages of ten (10) and \* \* \* eighteen  
28 (18) who have been determined by the youth court to be living in  
29 an environment that is either:

- 30 (i) Abusive;
- 31 (ii) Neglectful; or
- 32 (iii) That contributes to the delinquency of the  
33 child.

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

- 37 (i) Living with a single parent who has apparently  
38 either voluntarily or involuntarily lost control of the child;
- 39 (ii) Disciplinary problems at school;
- 40 (iii) Academic problems at school; or
- 41 (iv) Having older siblings from the same  
42 environment who have been adjudicated abused, neglected or  
43 delinquent.



44 (c) Placement under the program will require the  
45 consent of:

- 46 (i) The custodial parent;
- 47 (ii) A person in loco parentis to the child; or
- 48 (iii) The duly appointed guardian ad litem of the  
49 child.

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

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

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

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

67 (b) Any youth court electing to operate a pilot program  
68 under this section shall report on the placements made and all



69 expenses incurred under the pilot program to the Administrative  
70 Office of Courts not less than every six (6) months, and the  
71 Supreme Court shall ensure that the Legislature is informed of the  
72 status of the pilot program on at least an annual basis.

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

78 **SECTION 2.** This act shall take effect and be in force from  
79 and after its passage.

