

By: Representatives Gipson, Sykes, Gibbs  
(72nd), Holloway

To: Judiciary B

HOUSE BILL NO. 801

1 AN ACT TO AMEND SECTION 43-15-14, MISSISSIPPI CODE OF 1972,  
2 TO AUTHORIZE CHILDREN TO BE PLACED IN THE HOME OF A RELATIVE IN  
3 EMERGENCY PLACEMENT BECAUSE OF SUDDEN UNAVAILABILITY OF THEIR  
4 PRIMARY CAREGIVER; TO INCREASE TO FIFTEEN DAYS THE MAXIMUM TIME TO  
5 SUBMIT FINGERPRINTS OF ADULTS RESIDING IN THE PLACEMENT HOME TO  
6 THE MCIC OR FBI AND THE MAXIMUM TIME FOR A PERSON TO SUBMIT  
7 FINGERPRINTS AFTER BEING DENIED PLACEMENT OF A CHILD IN THEIR  
8 HOME; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 43-15-14, Mississippi Code of 1972, is  
11 amended as follows:

12 43-15-14. (1) As used in this section, "emergency  
13 placement" means those limited instances when the Mississippi  
14 Department of Child Protection Services is placing a child in the  
15 home of private individuals, including relatives, neighbors or  
16 friends, as a result of a sudden unavailability of the child's  
17 primary caretaker.

18 (2) During an emergency placement situation when a child  
19 must be placed in home care due to the absence of parents or  
20 custodians, the Mississippi Department of Child Protection  
21 Services (MDCPS) may request that a criminal justice agency



22 perform a federal name-based criminal history records check of  
23 each adult residing in the home. Name-based check results may be  
24 provided to the Mississippi Criminal Information Center (MCIC) of  
25 the Mississippi Department of Public Safety, which shall then  
26 provide a complete set of each adult resident's fingerprints to  
27 the MCIC central repository for the immediate submission to the  
28 Federal Bureau of Investigation (FBI) within \* \* \* fifteen (15)  
29 calendar days from the date the name search was conducted. The  
30 central repository shall either positively identify the  
31 fingerprint subject or forward the fingerprints to the FBI  
32 within \* \* \* fifteen (15) calendar days from the date the name  
33 search was conducted. The child shall be removed from the home  
34 immediately if any adult resident fails to provide fingerprints  
35 and written permission to perform a federal criminal history  
36 records check when requested.

37 (3) When placement of a child in a home is denied as a  
38 result of a name-based criminal history records check of a  
39 resident, and the resident contests that denial, each such  
40 resident shall, within \* \* \* fifteen (15) calendar days, submit to  
41 MDCPS a complete set of the resident's fingerprints with written  
42 permission allowing MCIC to forward the fingerprints to the MCIC  
43 criminal history records repository for submission to the FBI.

44 **SECTION 2.** This act shall take effect and be in force from  
45 and after July 1, 2018.

