

By: Representative Dixon

To: Youth and Family Affairs

HOUSE BILL NO. 1079

1 AN ACT TO AMEND SECTION 5, CHAPTER 420, LAWS OF 2017, TO  
2 REVISE THE AGE FOR CHILDREN WHO MAY BE ELIGIBLE FOR PLACEMENT IN A  
3 COMMUNITY HOME BY A YOUTH COURT; AND FOR RELATED PURPOSES.

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

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

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

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

17 (b) In order to be designated as a community home, the  
18 home must have been approved as being both safe and an environment



19 in which a child will thrive by Child Protective Services before  
20 placement of any youth in the home.

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

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

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

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

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

42 (c) Placement under the program will require the  
43 consent of:



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

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

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

52 (a) Monies appropriated by the Legislature for the  
53 purposes of funding the pilot program;

54 (b) Monies dedicated by action of the board of  
55 supervisors for the purposes of funding the pilot program;

56 (c) Monies received from the federal government;

57 (d) Donations;

58 (e) Monies received from such other sources as may be  
59 provided by law; or

60 (f) Any combination of funding set forth in this  
61 subsection.

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

65 (b) Any youth court electing to operate a pilot program  
66 under this section shall report on the placements made and all  
67 expenses incurred under the pilot program to the Administrative  
68 Office of Courts not less than every six (6) months, and the



69 Supreme Court shall ensure that the Legislature is informed of the  
70 status of the pilot program on at least an annual basis.

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

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

