

By: Representative Dixon

To: Youth and Family Affairs

HOUSE BILL NO. 1079
(As Passed the House)

1 AN ACT TO AMEND SECTION 5, CHAPTER 420, LAWS OF 2017, TO
2 REVISE THE COUNTIES THAT ARE PARTICIPANTS IN THE COMMUNITY-BASED
3 PLACEMENT FOR AT-RISK CHILDREN PILOT PROGRAM; TO REVISE THE AGE
4 FOR CHILDREN WHO MAY BE ELIGIBLE FOR PLACEMENT IN A COMMUNITY HOME
5 BY A YOUTH COURT THROUGH THE PROGRAM; 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,
12 Hancock * * *, Coahoma, Marshall, Clay, Sunflower and Smith. The
13 purpose of the pilot program is to implement a plan for early
14 intervention by the youth court to reach at-risk children and
15 place the children in community-based homes under youth court
16 supervision.

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



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

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

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

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

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

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



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

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

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

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

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

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

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



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

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

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

