

By: Senator(s) Doty

To: Public Health and
Welfare; Accountability,
Efficiency, Transparency

SENATE BILL NO. 2526

1 AN ACT TO BE KNOWN AS THE "MISSISSIPPI DEPARTMENT OF HUMAN
2 SERVICES GEN+ ACT," WHICH IS A MULTIGENERATIONAL APPROACH TO
3 PROACTIVELY ADDRESS POVERTY AND REMOVE INSTITUTIONAL BARRIERS TO
4 SELF-SUFFICIENCY; TO ENACT PROVISIONS RELATING TO CHILD SUPPORT
5 AND THE SUPPLEMENTAL NUTRITIONAL ASSISTANCE PROGRAM (SNAP); AND
6 FOR RELATED PURPOSES.

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

8 **SECTION 1. Short title.** This act shall be known and may be
9 cited as the "Mississippi Department of Human Services GEN+ Act."

10 **SECTION 2. GEN+ framework.** (1) The Mississippi Department
11 of Human Services (MDHS) shall develop and implement a
12 multigenerational approach that addresses poverty and associated
13 barriers to self-sufficiency with an intentional focus on working
14 with the whole family. This approach shall address the following
15 components:

- 16 (a) Education;
- 17 (b) Economic supports through workforce development;
- 18 (c) Health and well-being; and
- 19 (d) Social capital education.



(2) The goal of this approach shall be to create a framework within the Department to identify resources and services, along with program support, to build upon the successes of the family as a whole and move the family to self-sufficiency.

(3) MDHS shall utilize partnerships with state and community organizations to fill in service gaps and guarantee that quality services are not being unnecessarily duplicated.

(4) MDHS shall develop performance measures that shall be used to inform the implementation of this approach and shall make recommendations to the Legislature on the removal of barriers that prevent families from moving to self-sufficiency.

SECTION 3. The following shall be codified as Section 43-1-29.2, Mississippi Code of 1972:

43-1-29.2. (1) The Mississippi Department of Human Services (MDHS) may exercise the option pursuant to 21 USC Section 862(d)(1)(A) to exempt certain individuals from the permanent federal ban on Supplemental Nutrition Assistance Program (SNAP) benefits for individuals convicted of a drug-related felony as established by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

(2) SNAP benefits may be accessed by individuals convicted of a drug-related felony if the individual meets all SNAP eligibility requirements, including work registration requirements and one (1) of the following conditions are met:



(a) The individual is an active participant in a certified Mississippi Drug Court; or

(b) The individual is a graduate of a certified Mississippi Drug Court, with no convictions subsequent to drug court graduation; or

(c) The individual has no more than one (1) drug-related felony conviction.

SECTION 4. The following shall be codified as Section 43-19-36, Mississippi Code of 1972:

43-19-36. (1) Child support obligations shall be suspended, by operation of law, for any period exceeding one hundred eighty (180) consecutive days in which the person ordered to pay support is incarcerated or involuntarily institutionalized, unless either of the following conditions exist:

(a) The person owing support has the means to pay support in accordance with the guidelines established in Sections 43-19-101 and 43-19-103 while incarcerated or involuntarily institutionalized; or

(b) The person owing support was incarcerated or involuntarily institutionalized for an offense constituting domestic violence, as defined in Section 97-3-7, child abuse as defined in Section 97-5-39, or criminal nonpayment of child support as defined in Section 97-5-3.

(2) The child support obligation will resume the first day of the month following the expiration of sixty (60) days after the



69 date the noncustodial parent is released from incarceration, and
70 the noncustodial parent's child support order and obligation will
71 become enforceable on that date. This section does not preclude a
72 person owing support from seeking a modification of the child
73 support order based on a change in circumstances or other
74 appropriate reason.

75 (3) The Department of Human Services enforcing a child
76 support order under Title IV-D of the Social Security Act (42 USC
77 Section 651 et seq.) may, upon written notice of the proposed
78 adjustment to the obligor and the obligee, administratively adjust
79 the arrears balance for an order for child support suspended
80 pursuant to subsection (1) of this section if all of the following
81 occurs:

82 (a) The department verifies that arrears were accrued
83 in violation of this section;

84 (b) The department verifies that neither of the
85 conditions set forth in paragraph (a) or (b) of subsection (1) of
86 this section exist; and

87 (c) Neither the support obligor nor obligee objects in
88 writing within thirty (30) days of receipt of the notice of
89 proposed adjustment by the department.

90 (d) If either the support obligor or obligee objects to
91 the administrative adjustment set forth in this subsection, the
92 department shall file a petition with the court for a
93 determination of the arrears balance.



94 (e) The department may perform this adjustment without
95 regard to whether it was enforcing the child support order at the
96 time the parent owing support qualified for relief under this
97 section.

98 (4) This section does not prohibit the Department of Human
99 Services or a party from petitioning a court for a determination
100 of child support or arrears amounts.

101 (5) For purposes of this section, the following definitions
102 shall apply:

103 (a) "Incarcerated or involuntarily institutionalized"
104 includes, but is not limited to, involuntary confinement to a
105 federal or state prison or correctional facility, a county jail, a
106 juvenile detention center, or a mental health facility.
107 Incarceration or involuntarily institutionalized does not include
108 probation or work release, and the one hundred eighty (180)
109 consecutive days excludes credit for time served before
110 sentencing.

111 (b) "Child support obligation" is defined as the
112 payment due on the current child support order, an arrears payment
113 on a preexisting arrears balance, or interest on arrears.

114 (c) "Suspension" is defined as a child support
115 obligation being administratively set to Zero Dollars (\$0) for the
116 period in which the person owing support is incarcerated or
117 involuntarily institutionalized, and prevents the accrual of
118 arrears during said period of incarceration.



119 (6) This section applies to every child support obligation
120 in which the person who is ordered to pay is incarcerated for one
121 hundred eighty (180) days after the enactment of this section.

122 **SECTION 5.** This act shall take effect and be in force from
123 and after July 1, 2019.

