

By: Senator(s) Sojourner, McDaniel

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

SENATE BILL NO. 2741

1 AN ACT TO AMEND SECTION 43-17-1, MISSISSIPPI CODE OF 1972, TO
2 PROHIBIT THE DEPARTMENT OF HUMAN SERVICES FROM PROVIDING ANY
3 ASSISTANCE TO ANY PERSON CONVICTED OF MORE THAN TWO FELONY
4 OFFENSES; TO REPEAL SECTION 43-12-71, MISSISSIPPI CODE OF 1972,
5 WHICH IS THE PROVISION THAT OPTS MISSISSIPPI OUT OF 21 USC SECTION
6 862a(a); AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 43-17-1, Mississippi Code of 1972, is
9 amended as follows:

10 43-17-1. (1) The State of Mississippi hereby accepts all of
11 the mandatory provisions and benefits, with the exception of those
12 provisions under which the state may exercise its options, of
13 Title I of an act passed by the Senate and House of
14 Representatives of the United States of America, in Congress
15 assembled, entitled: "The Personal Responsibility and Work
16 Opportunity Reconciliation Act of 1996 (Public Law 104-193)," and
17 known as the Temporary Assistance to Needy Families (TANF)
18 program.

19 (2) The Department of Human Services shall have all
20 necessary authority to cooperate with the federal government in



21 the administration of Public Law 104-193 and all subsequent
22 federal amendments thereto, to administer any legislation pursuant
23 thereto enacted by the State of Mississippi, and to administer the
24 funds provided by the federal government and the State of
25 Mississippi under the provisions of Section 43-17-1 et seq., for
26 providing temporary assistance for needy families with minor
27 children. The Department of Human Services shall have full
28 authority to formulate state plans consistent with state law as
29 necessary to administer and operate federal grant funds which
30 provide temporary assistance for needy families with minor
31 children under Title IV-A of the federal Social Security Act. The
32 Department of Human Services shall identify in any state plan
33 submitted to implement the TANF program those requirements or
34 restrictions, including persons excluded from program
35 participation which are required under federal law, and those
36 program requirements or restrictions which the federal law
37 authorizes but does not require.

38 (3) Any funds received by the State of Mississippi under the
39 provisions of Public Law 104-193 shall be subject to appropriation
40 by the Legislature and consistent with the terms and conditions
41 required under such appropriation.

42 (4) The purpose of the Mississippi Temporary Assistance to
43 Needy Families (TANF) program shall be to:

44 (a) Provide assistance to needy families so that
45 children may be cared for in their own homes or in the homes of



relatives when such care is beneficial and may be monitored on a random basis by the Department of Human Services or the State Department of Health;

(b) End the dependence of needy families on government benefits by promoting job preparation, work and marriage through, among other things, job placement, job training and job retention;

(c) Prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies;

(d) Encourage the formation and maintenance of two-parent families; and

(e) Prevent program fraud and abuse.

(5) The Department of Human Services shall develop outcome and output indicators for each program established under the authority of this section. These measures shall provide legislators and administrators with information which measures the success or failure of the department in implementing the programs implemented under the authority of this section. The department shall annually report to the Legislature the outputs and outcomes of these programs, with the first report due by December 15, 1997. Such reports shall include recommendations for making programs more effective or efficient which can be effected in accordance with federal law.

(6) Assistance may be granted under this chapter to any dependent child and a caretaker relative who are living in a



suitable family home meeting the standards of care and health and work requirements fixed by the laws of this state, and the rules and regulations of the State Department of Human Services.

(7) The Department of Human Services shall not provide assistance to any person convicted of more than one (1) felony offense in Mississippi.

SECTION 2. Section 43-12-71 which is the provision that opts Mississippi out of 21 USC Section 862a(a) is repealed.

SECTION 3. This act shall take effect and be in force from and after July 1, 2021.

