

By: Senator(s) Boyd

To: Public Health and Welfare

SENATE BILL NO. 2332

1 AN ACT TO AMEND SECTION 41-21-109, MISSISSIPPI CODE OF 1972,  
 2 TO REQUIRE ADOLESCENT RESIDENTIAL TREATMENT FACILITIES TO BE  
 3 CERTIFIED BY THE STATE DEPARTMENT OF MENTAL HEALTH TO OPERATE; TO  
 4 AUTHORIZE THE DEPARTMENT TO REFUSE TO CERTIFY ADOLESCENT  
 5 RESIDENTIAL TREATMENT FACILITIES; TO AUTHORIZE THE DEPARTMENT TO  
 6 REVOKE OR SUSPEND THE CERTIFICATION OF THE ADOLESCENT RESIDENTIAL  
 7 TREATMENT FACILITIES; TO PROVIDE THAT THE DEPARTMENT MAY  
 8 PROMULGATE RULES AND REGULATIONS TO ENFORCE THE PROVISIONS OF THE  
 9 ACT; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 41-21-109, Mississippi Code of 1972, is  
 12 amended as follows:

13 41-21-109. (1) The purpose of this section is to provide  
 14 modern and efficient rehabilitation facilities for adolescents  
 15 with mental illness or with an intellectual disability who have  
 16 been committed for treatment by a court of competent jurisdiction  
 17 under Section 41-21-61 et seq.

18 (2) The Department of Finance and Administration, acting  
 19 through the Bureau of Building, Grounds and Real Property  
 20 Management, using funds from bonds, monies appropriated by the  
 21 Legislature for those purposes, federal matching or other federal



22 funds, federal grants or other available funds from whatever  
23 source, shall provide for by construction, lease, lease-purchase  
24 or otherwise and equip the following juvenile rehabilitation  
25 facilities under the jurisdiction and responsibility of the  
26 Mississippi Department of Mental Health: Construction and  
27 equipping of two (2) separate facilities each of which could serve  
28 up to fifty (50) adolescents, and each of which will be located at  
29 sites approved by the Department of Mental Health that would be  
30 specifically designed to serve adolescents who meet commitment  
31 criteria as defined by Section 41-21-61. One (1) fifty-bed  
32 facility shall house adolescent offenders with mental illness, and  
33 the other facility shall house adolescent offenders with an  
34 intellectual disability. Priority admission to these facilities  
35 shall be those adolescents who have some involvement in the  
36 judicial system. These facilities shall be self-contained and  
37 offer a secure but therapeutic environment allowing persons to be  
38 habilitated apart from persons who are more vulnerable and who  
39 have disabilities that are more disabling. The number of persons  
40 admitted to these facilities shall not exceed the number of beds  
41 authorized under this section or the number of beds licensed or  
42 authorized by the licensure and certification agency, whichever is  
43 less.

44 Those facilities shall be on property owned by the Department  
45 of Mental Health, or its successor, at one or more sites selected  
46 by the Department of Mental Health on land that is either donated



47 to the state or purchased by the state specifically for the  
48 location of those facilities.

49 (3) The facility located in Harrison County shall be known  
50 as the Specialized Treatment Facility for the Emotionally  
51 Disturbed, and the facility located in Brookhaven shall be known  
52 as the Mississippi Adolescent Center.

53 (4) All adolescent residential treatment facilities in the  
54 state shall be certified by the Mississippi Department of Mental  
55 Health to operate.

56 (5) The Mississippi Department of Mental Health may:

57 (a) Refuse to certify an adolescent residential  
58 treatment facility;

59 (b) Revoke the certification of an adolescent  
60 residential treatment facility to operate; or

61 (c) Suspend the certification of an adolescent  
62 residential treatment facility.

63 (6) The Mississippi Department of Mental Health shall have  
64 the authority to promulgate rules and regulations, not  
65 inconsistent with this chapter, as it may deem necessary to  
66 enforce its provisions.

67 **SECTION 2.** This act shall take effect and be in force from  
68 and after July 1, 2023.

