

By: Representative Creekmore IV

To: Public Health and Human Services; County Affairs

HOUSE BILL NO. 1030

1 AN ACT TO AMEND SECTION 43-1-9, MISSISSIPPI CODE OF 1972, TO  
 2 AUTHORIZE THE EXECUTIVE DIRECTOR OF HUMAN SERVICES TO APPOINT A  
 3 NONRESIDENT OF THE COUNTY TO SERVE AS THE COUNTY DIRECTOR OF HUMAN  
 4 SERVICES UNDER CERTAIN CIRCUMSTANCES; TO AUTHORIZE THE DEPARTMENT  
 5 OF HUMAN SERVICES TO ENTER INTO A LEASE WITH THE BOARD OF  
 6 SUPERVISORS IN EACH COUNTY WHERE A LOCAL OFFICE IS LOCATED TO  
 7 ALLOW THE DEPARTMENT TO MAXIMIZE THE AVAILABILITY OF FEDERAL  
 8 FUNDS; TO PROVIDE THAT FAIR MARKET VALUE FOR THE COUNTY-FURNISHED  
 9 BUILDING SHALL BE ESTABLISHED BY CONSULTATION BETWEEN THE  
 10 DEPARTMENT AND EACH COUNTY BOARD OF SUPERVISORS, AND THE  
 11 DEPARTMENT SHALL PAY THE FEDERAL SHARE FOR THE RENT TO THE COUNTY;  
 12 TO PROVIDE THAT ALL MAINTENANCE AND REPAIRS OF THE LOCAL OFFICE  
 13 REQUIRED TO KEEP IT IN AN ADEQUATE AND HABITABLE CONDITION FOR USE  
 14 BY THE DEPARTMENT SHALL BE THE RESPONSIBILITY OF THE COUNTY; AND  
 15 FOR RELATED PURPOSES.

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

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

19 43-1-9. (1) There shall be created in each county of the  
 20 state a county department of human services, which shall consist  
 21 of a county director of human services, and such other personnel  
 22 as may be necessary for the efficient performance of the duties of  
 23 the county department. It shall be the duty of the board of



24 supervisors of each county to provide adequate and habitable  
25 office space for the county department.

26       (2) County director. The Executive Director of Human  
27 Services shall designate, in accordance with the rules and  
28 regulations of the State Personnel Board, with the approval of the  
29 Governor, a county director of human services who shall serve as  
30 the executive and administrative officer of the county department  
31 and shall be responsible to the state department for its  
32 management. Such director shall be a resident citizen of the  
33 county and shall not hold any political office of the state,  
34 county, municipality or subdivision thereof. However, in cases of  
35 emergency or unavailability of a county resident suitable for the  
36 position as determined by the executive director, the executive  
37 director may appoint a director of human services who is a  
38 nonresident of such county, to serve during the period of  
39 emergency only or until a suitable candidate who is a county  
40 resident may be found.

41       (3) The county department of human services shall administer  
42 within the county all forms of public assistance and welfare  
43 services, with the exception of child welfare services  
44 administered by the Department of Child Protection Services. The  
45 county department shall comply with such regulations and submit  
46 such reports as may be established or required by the state  
47 department. Subject to the approval of the state department, the  
48 county department may cooperate with other departments, agencies



49 and institutions, state and local, when so requested, in  
50 performing services in conformity with the provisions of this  
51 chapter.

52 (4) The Department of Human Services may enter into a lease  
53 with the board of supervisors in each county where a local office  
54 is located to allow the department to maximize the availability of  
55 federal funds. Fair market value for the county-furnished  
56 building shall be established by consultation between the  
57 department and each county board of supervisors, and the  
58 department shall pay the federal share for the rent to the county.  
59 All maintenance and repairs of the local office required to keep  
60 it in an adequate and habitable condition for use by the  
61 department shall be the responsibility of the county due to the  
62 prohibition against use of federal funds for improvements of real  
63 property.

64 (5) In counties having two (2) judicial districts, the  
65 Executive Director of Human Services may create and establish in  
66 each of the judicial districts a separate county department of  
67 human services which shall consist of a director of human services  
68 and such other personnel as may be necessary for the efficient  
69 performance of the duties of the department thus established. In  
70 such cases the two (2) departments so established shall be dealt  
71 with as though each is a separate and distinct county department  
72 of human services, and each of the departments and each of the  
73 directors shall operate and have jurisdiction coextensive with the



74 boundaries of the judicial district in which it is established;  
75 and, also, in such cases the words "county" and "director of human  
76 services" when used in this chapter shall, where applicable, mean  
77 each judicial district, and the director of human services  
78 appointed therefor; and where the board of supervisors is  
79 authorized to appropriate funds or provide office space or like  
80 assistance for one (1) county department or director, such board  
81 may, as the case may be, appropriate the amount specified by law  
82 or render the assistance required by law to each of the  
83 departments or directors. However, the Executive Director of  
84 Human Services shall not create and establish a separate county  
85 department of human services pursuant to this paragraph in any  
86 county in which such separate county department of human services  
87 is not in existence on January 1, 1983. In addition, in any  
88 county having two (2) county departments of human services on  
89 January 1, 1983, but only one (1) county director of human  
90 services on that date, the Executive Director of Human Services  
91 shall not authorize and establish the second position of county  
92 director of human services in such county.

93 In any county not having two (2) judicial districts which is  
94 greater than fifty (50) miles in length, the Executive Director of  
95 Human Services may establish one (1) branch office of the county  
96 department of human services which shall be staffed with existing  
97 employees and administrative staff of such county department for  
98 not less than four (4) days per week.



99           **SECTION 2.** This act shall take effect and be in force from  
100 and after July 1, 2024.

