

**Adopted  
AMENDMENT NO 1 PROPOSED TO**

**Cmte Sub for House Bill No. 867**

**BY: Representative Owen**

1 **Amend** by striking **SECTION 1** in its entirety on lines 17  
2 through 26.

3 **Further, amend** by renumbering the succeeding sections  
4 accordingly.

5 **Further, amend** on line 30 by striking "(5)" and inserting, in  
6 lieu thereof: "(6)".

7 **Further, amend** after line 65 by inserting the following:

8 (f) The provisions of this subsection (2) of this  
9 section shall not apply to school-age children whose parent(s) or  
10 legal guardian(s) are active members of the United States Armed  
11 Forces complying with subsection (6) of this section.

12 (g) Athletic eligibility for a school-age child who  
13 transfers to another school or school district pursuant to this  
14 subsection shall be determined based on the child's fall semester  
15 enrollment. A child shall be athletically eligible for one (1)



16 school per school year. A child may transfer to another school  
17 mid-year; however, that child shall not be athletically eligible  
18 until the following fall school year. A child shall not be deemed  
19 athletically ineligible, thus ruled ineligible for any length of  
20 time, based upon a transfer of schools, so long as the provisions  
21 in this section are followed.

22 **Further, amend** by striking subsection (4) in its entirety on  
23 lines 171 through 179.

24 **Further, amend** on line 180 by striking "5" and inserting, in  
25 lieu thereof: "**\* \* \* 4**".

26 **Further, amend** on line 190 and inserting the following after  
27 the period:

28 ". The parent or guardian of a child enrolling in a school  
29 district in excess of thirty (30) miles of his or her residence  
30 shall be responsible for transportation of the child to and from  
31 school.

32 (b) A child whose parent(s) or legal guardian(s) are  
33 active members of the United States Armed Forces complies with the  
34 residency requirements for school attendance, if he or she resides  
35 in the State of Mississippi or if the pupil otherwise complies  
36 with Section 37-15-30.

37 (c) Any school district which accepts a child under the  
38 provisions of this subsection shall not assess any tuition fees  
39 upon such transferring child.



40           (d) Any transfer of out-of-state children of military  
41 families to this state shall be governed in accordance with  
42 Section 37-135-31 as applicable.

43           (5) The sibling(s) of any child lawfully transferred in  
44 accordance with this section, may also, at the discretion of their  
45 parent(s) or legal guardian(s), enroll and attend school in the  
46 transferee school district, subject to the provisions of this act.

47           (6) The provisions of this section shall not supercede any  
48 provision of an enforceable desegregation court order or a court-  
49 approved desegregation plan. A school district may declare an  
50 exemption from the requirements of this section if the district is  
51 subject to such an order or desegregation plan, or if the district  
52 is subject to a settlement agreement to remedy past segregation.  
53 Such an exemption is irrevocable for one (1) year from the date  
54 the district gives notice the State Department of Education."

55           **Further, amend the title to conform.**

