

By: Representative Yates

To: Judiciary A

HOUSE BILL NO. 1452

1 AN ACT TO AMEND SECTION 43-21-151, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY WHEN THE JURISDICTION OF YOUTH COURT ATTACHES FOR A
3 CHILD IN SUCH COURT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 43-21-151, Mississippi Code of 1972, is
6 amended as follows:

7 43-21-151. (1) The youth court shall have exclusive
8 original jurisdiction in all proceedings concerning a delinquent
9 child, a child in need of supervision, a neglected child, an
10 abused child or a dependent child except in the following
11 circumstances:

12 (a) Any act attempted or committed by a child, which if
13 committed by an adult would be punishable under state or federal
14 law by life imprisonment or death, will be in the original
15 jurisdiction of the circuit court;

16 (b) Any act attempted or committed by a child with the
17 use of a deadly weapon, the carrying of which concealed is
18 prohibited by Section 97-37-1, or a shotgun or a rifle, which



would be a felony if committed by an adult, will be in the original jurisdiction of the circuit court; and

(c) When a charge of abuse or neglect of a child first arises in the course of a custody action between the parents of the child already pending in the chancery court and no notice of such abuse was provided prior to such chancery proceedings, the chancery court may proceed with the investigation, hearing and determination of such abuse or neglect charge as a part of its hearing and determination of the custody issue as between the parents, notwithstanding the other provisions of the Youth Court Law. The proceedings in chancery court on the abuse or neglect charge shall be confidential in the same manner as provided in youth court proceedings.

When a child is expelled from the public schools, the youth court shall be notified of the act of expulsion and the act or acts constituting the basis for expulsion.

(2) Jurisdiction of the child in * * * a delinquency cause shall attach at the time of the offense, or in a dependency cause at the time * * * the allegation of abuse, neglect or exploitation is reported to the youth court, and shall continue thereafter for that offense or the allegations of abuse, neglect or exploitation until the child's twentieth birthday, unless sooner terminated by order of the youth court. The youth court shall not have jurisdiction over offenses committed by a child on or after his eighteenth birthday, nor have jurisdiction of abuse, neglect, or



44 exploitation committed against a child after their eighteenth
45 birthday.

46 (3) No child who has not reached his thirteenth birthday
47 shall be held criminally responsible or criminally prosecuted for
48 a misdemeanor or felony; however, the parent, guardian or
49 custodian of such child may be civilly liable for any criminal
50 acts of such child. No child under the jurisdiction of the youth
51 court shall be held criminally responsible or criminally
52 prosecuted by any court for any act designated as a delinquent
53 act, unless jurisdiction is transferred to another court under
54 Section 43-21-157.

55 (4) The youth court shall also have jurisdiction of offenses
56 committed by a child which have been transferred to the youth
57 court by an order of a circuit court of this state having original
58 jurisdiction of the offense, as provided by Section 43-21-159.

59 (5) The youth court shall regulate and approve the use of
60 teen court as provided in Section 43-21-753.

61 (6) Nothing in this section shall prevent the circuit court
62 from assuming jurisdiction over a youth who has committed an act
63 of delinquency upon a youth court's ruling that a transfer is
64 appropriate pursuant to Section 43-21-157.

65 **SECTION 2.** This act shall take effect and be in force from
66 and after July 1, 2025.

