

By: Senator(s) Boyd

To: Judiciary, Division A

## SENATE BILL NO. 2776

1       AN ACT TO AMEND SECTION 43-21-351, MISSISSIPPI CODE OF 1972,  
2 TO DELETE THE AUTHORITY OF ANY PERSON OR AGENCY TO MAKE A WRITTEN  
3 REPORT TO THE YOUTH COURT INTAKE UNIT; TO AUTHORIZE THE DEPARTMENT  
4 OF CHILD PROTECTION SERVICES TO MAKE THE INTAKE REPORT; TO PROVIDE  
5 THAT THE REPORT MAY BE ORAL; TO AMEND SECTION 43-21-353,  
6 MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN MANDATORY REPORTERS  
7 TO MAKE A REPORT TO THE DEPARTMENT OF CHILD PROTECTION SERVICES;  
8 TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO DEVELOP  
9 AND IMPLEMENT TRAINING FOR TRIAGE PROCEDURES FOR RECEIVING  
10 REPORTS; TO PRESCRIBE A TIMEFRAME FOR THE DEPARTMENT OF CHILD  
11 PROTECTION SERVICES TO MAKE A REPORT TO THE YOUTH COURT; TO AMEND  
12 SECTION 43-21-357, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND  
13 SECTIONS 43-20-17, 43-21-257, 43-21-261 AND 43-21-907, MISSISSIPPI  
14 CODE OF 1972, TO REVISE AN INTERNAL REFERENCE TO SECTION 43-21-353  
15 IN CONFORMITY TO THE AMENDMENTS MADE TO THAT SECTION; AND FOR  
16 RELATED PURPOSES.

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

18       **SECTION 1.** Section 43-21-351, Mississippi Code of 1972, is  
19 amended as follows:

20       43-21-351. (1) \* \* \* The Department of Child Protection  
21 Services may make a written or oral report to the intake unit  
22 alleging facts sufficient to establish the jurisdiction of the  
23 youth court. The report shall bear a permanent number that will  
24 be assigned by the court in accordance with the standards  
25 established by the Administrative Office of Courts pursuant to



26 Section 9-21-9(d), and shall be preserved until destroyed on order  
27 of the court.

28 (2) There shall be in each youth court of the state an  
29 intake officer who shall be responsible for the accurate and  
30 timely entering of all intake and case information into the  
31 Mississippi Youth Court Information Delivery System (MYCIDS) for  
32 the Department of Human Services - Division of Youth Services,  
33 truancy matters, and the Department of Child Protection Services.  
34 It shall be the responsibility of the youth court judge or referee  
35 of each county to ensure that the intake officer is carrying out  
36 the responsibility of this section.

37 (3) Each intake officer shall receive, at a minimum, six (6)  
38 hours of annual training on MYCIDS provided by the Mississippi  
39 Judicial College. The required training under this subsection  
40 shall be in addition to technical training provided by the  
41 Mississippi Supreme Court MYCIDS Information Technology  
42 Department.

43 (4) The Mississippi Judicial College, in conjunction with  
44 the Administrative Office of Courts, shall develop training  
45 materials on MYCIDS:

46 (a) To ensure the accurate and timely entrance of all  
47 intake and case information throughout the state by intake  
48 officers;

49 (b) To ensure that youth court judges are equipped to  
50 oversee the functions of each intake officer.



(5) The provisions of this section shall stand repealed on July 1, 2026.

**SECTION 2.** Section 43-21-353, Mississippi Code of 1972, is amended as follows:

43-21-353. (1) Any attorney, physician, dentist, intern,  
resident, nurse, psychologist, social worker, family protection  
worker, family protection specialist, child caregiver, minister,  
law enforcement officer, public or private school employee or any  
other person having reasonable cause to suspect that a child is a  
neglected child, an abused child, or a victim of commercial sexual  
exploitation or human trafficking shall cause \* \* \* a report to be  
made immediately by telephone or otherwise \* \* \* to the Department  
of Child Protection Services \* \* \*.

64                   (2) The Department of Child Protection Services shall  
65 develop and implement triage procedures for accepting,  
66 documenting, and assigning reports under this section. The  
67 procedures established by the department shall include the  
68 following:



76 been made under this Youth Court Act or with the individual(s)  
77 responsible for the health or welfare of a child about whom a  
78 report has been made under this chapter, the Department of Child  
79 Protection Services shall inform the individual of the specific  
80 complaints or allegations made against the individual. Consistent  
81 with subsection (4), the identity of the person who reported his  
82 or her suspicion shall not be disclosed at that point. Where  
83 appropriate, the Department of Child Protection Services shall  
84 additionally make a referral to the youth court prosecutor.

85                   (c) Upon receiving a report that a child has been  
86 sexually abused, is a victim of commercial sexual exploitation or  
87 human trafficking or has been burned, tortured, mutilated or  
88 otherwise physically abused in such a manner as to cause serious  
89 bodily harm, or upon receiving any report of abuse that would be a  
90 felony under state or federal law, the Department of Child  
91 Protection Services shall immediately notify the law enforcement  
92 agency in whose jurisdiction the abuse occurred. Within  
93 forty-eight (48) hours, the department must notify the appropriate  
94 prosecutor and the Statewide Human Trafficking Coordinator. The  
95 department shall have the duty to provide the law enforcement  
96 agency all the names and facts known at the time of the report;  
97 this duty shall be of a continuing nature. The law enforcement  
98 agency and the department shall investigate the reported abuse  
99 immediately and shall file a preliminary report with the  
100 appropriate prosecutor's office within twenty-four (24) hours and



101 shall make additional reports as new or additional information or  
102 evidence becomes available. The department shall advise the clerk  
103 of the youth court and the youth court prosecutor of all cases of  
104 abuse reported to the department under this subsection (2) (c)  
105 within seventy-two (72) hours and shall update such report as  
106 information becomes available. In addition, if the Department of  
107 Child Protection Services determines that a parent or other person  
108 responsible for the care or welfare of an abused or neglected  
109 child maintains active duty status within the military, the  
110 department shall notify the applicable military installation  
111 family advocacy program that there is an allegation of abuse or  
112 neglect that relates to that child.

113 ( \* \* \*3) Any report shall contain the names and addresses  
114 of the child and his parents or other persons responsible for his  
115 care, if known, the child's age, the nature and extent of the  
116 child's injuries, including any evidence of previous injuries, any  
117 other information that might be helpful in establishing the cause  
118 of the injury, and the identity of the perpetrator.

119 ( \* \* \*4) The Department of Child Protection Services shall  
120 maintain a statewide incoming wide-area telephone service or  
121 similar service for the purpose of receiving reports of suspected  
122 cases of child abuse, commercial sexual exploitation or human  
123 trafficking \* \* \*.

124 ( \* \* \*5) Reports of abuse, neglect and commercial sexual  
125 exploitation or human trafficking made under this chapter and the



126 identity of the reporter are confidential except when the court in  
127 which the investigation report is filed, in its discretion,  
128 determines the testimony of the person reporting to be material to  
129 a judicial proceeding or when the identity of the reporter is  
130 released to law enforcement agencies and the appropriate  
131 prosecutor pursuant to subsection (1). Reports made under this  
132 section to any law enforcement agency or prosecutorial officer are  
133 for the purpose of criminal investigation and prosecution only and  
134 no information from these reports may be released to the public  
135 except as provided by Section 43-21-261. Disclosure of any  
136 information by the prosecutor shall be according to the  
137 Mississippi Uniform Rules of Circuit and County Court Procedure.  
138 The identity of the reporting party shall not be disclosed to  
139 anyone other than law enforcement officers or prosecutors without  
140 an order from the appropriate youth court. Any person disclosing  
141 any reports made under this section in a manner not expressly  
142 provided for in this section or Section 43-21-261 shall be guilty  
143 of a misdemeanor and subject to the penalties prescribed by  
144 Section 43-21-267. Notwithstanding the confidentiality of the  
145 reporter's identity under this section, the Department of Child  
146 Protection Services may disclose a reporter's identity to the  
147 appropriate law enforcement agency or prosecutor if the department  
148 has reason to suspect the reporter has made a fraudulent report,  
149 and the Department of Child Protection Services must provide to



150 the subject of the alleged fraudulent report written notification  
151 of the disclosure.

152 ( \* \* \*6) All final dispositions of law enforcement  
153 investigations described in subsection (1) of this section shall  
154 be determined only by the appropriate prosecutor or court. All  
155 final dispositions of investigations by the Department of Child  
156 Protection Services as described in subsection (1) of this section  
157 shall be determined only by the youth court. Reports made under  
158 subsection (1) of this section by the Department of Child  
159 Protection Services to the law enforcement agency and to the  
160 district attorney's office shall include the following, if known  
161 to the department:

162 (a) The name and address of the child;  
163 (b) The names and addresses of the parents;  
164 (c) The name and address of the suspected perpetrator;  
165 (d) The names and addresses of all witnesses, including  
166 the reporting party if a material witness to the abuse;  
167 (e) A brief statement of the facts indicating that the  
168 child has been abused, including whether the child experienced  
169 commercial sexual exploitation or human trafficking, and any other  
170 information from the agency files or known to the family  
171 protection worker or family protection specialist making the  
172 investigation, including medical records or other records, which  
173 may assist law enforcement or the district attorney in  
174 investigating and/or prosecuting the case; and



175 (f) What, if any, action is being taken by the  
176 Department of Child Protection Services.

177        ( \* \* \*7) In any investigation of a report made under this  
178 chapter of the abuse or neglect of a child as defined in Section  
179 43-21-105(l) or (m), the Department of Child Protection Services  
180 may request the appropriate law enforcement officer with  
181 jurisdiction to accompany the department in its investigation, and  
182 in such cases the law enforcement officer shall comply with such  
183 request.

184       (\* \* \*8)    Anyone who willfully violates any provision of  
185    this section shall be, upon being found guilty, punished by a fine  
186    not to exceed Five Thousand Dollars (\$5,000.00), or by  
187    imprisonment in jail not to exceed one (1) year, or both.

188       (\* \* \* 9) If a report is made directly to the Department of  
189 Child Protection Services that a child has been abused or  
190 neglected or experienced commercial sexual exploitation or human  
191 trafficking in an out-of-home setting, a referral shall be made  
192 immediately to the law enforcement agency in whose jurisdiction  
193 the abuse occurred and the department shall notify the district  
194 attorney's office and the Statewide Human Trafficking Coordinator  
195 within forty-eight (48) hours of such report. The Department of  
196 Child Protection Services shall investigate the out-of-home  
197 setting report of abuse or neglect to determine whether the child  
198 who is the subject of the report, or other children in the same  
199 environment, comes within the jurisdiction of the youth court and



200 shall report to the youth court the department's findings and  
201 recommendation as to whether the child who is the subject of the  
202 report or other children in the same environment require the  
203 protection of the youth court. The law enforcement agency shall  
204 investigate the reported abuse immediately and shall file a  
205 preliminary report with the district attorney's office within  
206 forty-eight (48) hours and shall make additional reports as new  
207 information or evidence becomes available. If the out-of-home  
208 setting is a licensed facility, an additional referral shall be  
209 made by the Department of Child Protection Services to the  
210 licensing agency. The licensing agency shall investigate the  
211 report and shall provide the department, the law enforcement  
212 agency and the district attorney's office with their written  
213 findings from such investigation as well as that licensing  
214 agency's recommendations and actions taken.

215 ( \* \* \*10) If a child protective investigation does not  
216 result in an out-of-home placement, a child protective  
217 investigator must provide information to the parent or guardians  
218 about community service programs that provide respite care,  
219 counseling and support for children who have experienced  
220 commercial sexual exploitation or human trafficking, voluntary  
221 guardianship or other support services for families in crisis.

222 **SECTION 3.** Section 43-21-357, Mississippi Code of 1972, is  
223 amended as follows:



224        43-21-357. (1) After receiving a report, the youth court  
225 intake unit shall promptly make a preliminary inquiry to determine  
226 whether the interest of the child, other children in the same  
227 environment or the public requires the youth court to take further  
228 action. As part of the preliminary inquiry, the youth court  
229 intake unit may request or the youth court may order the  
230 Department of Child Protection Services, the Department of Human  
231 Services - Division of Youth Services, any successor agency or any  
232 other qualified public employee to make an investigation or report  
233 concerning the child and any other children in the same  
234 environment, and present the findings thereof to the youth court  
235 intake unit. \* \* \* If it appears from the preliminary inquiry  
236 that the child or other children in the same environment are  
237 within the jurisdiction of the court, the youth court intake unit  
238 shall recommend to the youth court:

- 239                (a) That the youth court take no action;
- 240                (b) That an informal adjustment be made;
- 241                (c) That the Department of Child Protection Services  
242 monitor the child, family and other children in the same  
243 environment;
- 244                (d) That the child is warned or counseled informally;
- 245                (e) That the child be referred to the youth court  
246 intervention court; or
- 247                (f) That a petition be filed.

248        (2) The youth court shall then, without a hearing:



- 249 (a) Order that no action be taken;
- 250 (b) Order that an informal adjustment be made;
- 251 (c) Order that the Department of Child Protection
- 252 Services monitor the child, family and other children in the same
- 253 environment;
- 254 (d) Order that the child is warned or counseled
- 255 informally;
- 256 (e) That the child be referred to the youth
- 257 intervention court; or
- 258 (f) Order that a petition be filed.

259 (3) If the preliminary inquiry discloses that a child needs  
260 emergency medical treatment, the judge may order the necessary  
261 treatment.

262           **SECTION 4.** Section 43-20-17, Mississippi Code of 1972, is  
263       amended as follows:

43-20-17. Information in the possession of the licensing agency concerning the license of individual child care facilities may be disclosed to the public, except such information shall not be disclosed in such manner as to identify children or families of children cared for at a child care facility. Nothing in this section shall affect the agency's authority to release findings of investigations into allegations of abuse pursuant to either Section 43-21-353( \* \* \*9) or Section 43-21-257.

272       **SECTION 5.** Section 43-21-257, Mississippi Code of 1972, is  
273        amended as follows:



274           43-21-257. (1) Unless otherwise provided in this section,  
275 any record involving children, including valid and invalid  
276 complaints, and the contents thereof maintained by the Department  
277 of Human Services or the Department of Child Protection Services,  
278 or any other state agency, shall be kept confidential and shall  
279 not be disclosed except as provided in Section 43-21-261.

280           (2) The Office of Youth Services shall maintain a state  
281 central registry containing the number and disposition of all  
282 cases together with such other useful information regarding those  
283 cases as may be requested and is obtainable from the records of  
284 the youth court. The Office of Youth Services shall annually  
285 publish a statistical record of the number and disposition of all  
286 cases, but the names or identity of any children shall not be  
287 disclosed in the reports or records. The Office of Youth Services  
288 shall adopt such rules as may be necessary to carry out this  
289 subsection. The central registry files and the contents thereof  
290 shall be confidential and shall not be open to public inspection.  
291 Any person who discloses or encourages the disclosure of any  
292 record involving children from the central registry shall be  
293 subject to the penalty in Section 43-21-267. The youth court  
294 shall furnish, upon forms provided by the Office of Youth  
295 Services, the necessary information, and these completed forms  
296 shall be forwarded to the Office of Youth Services. The  
297 Department of Human Services and its employees are exempt from any  
298 civil liability as a result of any action taken pursuant to the



299 compilation or release of information on the central registry  
300 under this section and any other applicable section of this code,  
301 unless determined that an employee has willfully and maliciously  
302 violated the rules and administrative procedures of the department  
303 pertaining to the central registry or any section of this code.  
304 If an employee is determined to have willfully and maliciously  
305 performed such a violation, said employee shall not be exempt from  
306 civil liability in this regard.

307 (3) The Department of Child Protection Services shall  
308 maintain a state central registry on neglect and abuse cases  
309 containing (a) the name, address and age of each child, (b) the  
310 nature of the harm reported, (c) the name and address of the  
311 person responsible for the care of the child, and (d) the name and  
312 address of the substantiated perpetrator of the harm reported.  
313 "Substantiated perpetrator" shall be defined as an individual who  
314 has committed an act(s) of sexual abuse or physical abuse that  
315 would otherwise be deemed as a felony or any child neglect that  
316 would be deemed as a threat to life. A name is to be added to the  
317 registry only based upon a criminal conviction or an adjudication  
318 by a youth court judge or court of competent jurisdiction,  
319 ordering that the name of the perpetrator be listed on the central  
320 registry. The central registry shall be confidential and shall  
321 not be open to public inspection. Any person who discloses or  
322 encourages the disclosure of any record involving children from  
323 the central registry without following the rules and



324 administrative procedures of the department shall be subject to  
325 the penalty in Section 43-21-267. The Department of Child  
326 Protection Services and its employees are exempt from any civil  
327 liability as a result of any action taken pursuant to the  
328 compilation or release of information on the central registry  
329 under this section and any other applicable section of this code,  
330 unless determined that an employee has willfully and maliciously  
331 violated the rules and administrative procedures of the department  
332 pertaining to the central registry or any section of this code.  
333 If an employee is determined to have willfully and maliciously  
334 performed such a violation, said employee shall not be exempt from  
335 civil liability in this regard.

336 (4) The Mississippi State Department of Health may release  
337 the findings of investigations into allegations of abuse within  
338 licensed day care centers made under the provisions of Section  
339 43-21-353(8) to any parent of a child who is enrolled in the day  
340 care center at the time of the alleged abuse or at the time the  
341 request for information is made. The findings of any such  
342 investigation may also be released to parents who are considering  
343 placing children in the day care center. No information  
344 concerning those investigations may contain the names or  
345 identifying information of individual children.

346 The Department of Health shall not be held civilly liable for  
347 the release of information on any findings, recommendations or

348 actions taken pursuant to investigations of abuse that have been  
349 conducted under Section 43-21-353 ( \* \* \*9 ).

350         **SECTION 6.** Section 43-21-261, Mississippi Code of 1972, is  
351 amended as follows:

352         43-21-261. (1) Except as otherwise provided in this  
353 section, records involving children shall not be disclosed, other  
354 than to necessary staff or officials of the youth court, a  
355 guardian ad litem appointed to a child by the court, or a  
356 Court-Appointed Special Advocate (CASA) volunteer who may be  
357 assigned in a dependency, abuse or neglect case, except pursuant  
358 to an order of the youth court specifying the person or persons to  
359 whom the records may be disclosed, the extent of the records which  
360 may be disclosed and the purpose of the disclosure. Such court  
361 orders for disclosure shall be limited to those instances in which  
362 the youth court concludes, in its discretion, that disclosure is  
363 required for the best interests of the child, the public safety,  
364 the functioning of the youth court, or to identify a person who  
365 knowingly made a false allegation of child abuse or neglect, and  
366 then only to the following persons:

367             (a) The judge of another youth court or member of  
368 another youth court staff;

369             (b) The court of the parties in a child custody or  
370 adoption cause in another court;

371 (c) A judge of any other court or members of another  
372 court staff, including the chancery court that ordered a forensic  
373 interview;

374 (d) Representatives of a public or private agency  
375 providing supervision or having custody of the child under order  
376 of the youth court;

377 (e) Any person engaged in a bona fide research purpose,  
378 provided that no information identifying the subject of the  
379 records shall be made available to the researcher unless it is  
380 absolutely essential to the research purpose and the judge gives  
381 prior written approval, and the child, through his or her  
382 representative, gives permission to release the information;

383 (f) The Mississippi Department of Employment Security,  
384 or its duly authorized representatives, for the purpose of a  
385 child's enrollment into the Job Corps Training Program as  
386 authorized by Title IV of the Comprehensive Employment Training  
387 Act of 1973 (29 USCS Section 923 et seq.). However, no records,  
388 reports, investigations or information derived therefrom  
389 pertaining to child abuse or neglect shall be disclosed:

390 (g) Any person pursuant to a finding by a judge of the  
391 youth court of compelling circumstances affecting the health,  
392 safety or well-being of a child and that such disclosure is in the  
393 best interests of the child or an adult who was formerly the  
394 subject of a youth court delinquency proceeding;



395 (h) A person who was the subject of a knowingly made  
396 false allegation of child abuse or neglect which has resulted in a  
397 conviction of a perpetrator in accordance with Section 97-35-47 or  
398 which allegation was referred by the Department of Child  
399 Protection Services to a prosecutor or law enforcement official in  
400 accordance with the provisions of Section 43-21-353( \* \* \*5).

401 Law enforcement agencies may disclose information to the  
402 public concerning the taking of a child into custody for the  
403 commission of a delinquent act without the necessity of an order  
404 from the youth court. The information released shall not identify  
405 the child or his address unless the information involves a child  
406 convicted as an adult.

407 (2) Any records involving children which are disclosed under  
408 an order of the youth court or pursuant to the terms of this  
409 section and the contents thereof shall be kept confidential by the  
410 person or agency to whom the record is disclosed unless otherwise  
411 provided in the order. Any further disclosure of any records  
412 involving children shall be made only under an order of the youth  
413 court as provided in this section.



420 where the person or agency making the information available finds  
421 that disclosure of the information would be likely to endanger the  
422 life or safety of such person. The attorney for the parent,  
423 guardian or custodian of the child, upon request, shall be  
424 provided a copy of any record, report or investigation relevant to  
425 a matter to be heard by a youth court, but the identity of the  
426 reporter must be redacted and the name of any other person must  
427 also be redacted if the person or agency making the information  
428 available finds that disclosure of the information would be likely  
429 to endanger the life, safety or well-being of the person. A  
430 record provided to the attorney under this section must remain in  
431 the attorney's control and the attorney may not provide copies or  
432 access to another person or entity without prior consent of a  
433 court with appropriate jurisdiction.

434 (4) Upon request, the child who is the subject of a youth  
435 court cause shall have the right to have his counsel inspect and  
436 copy any record, report or investigation which is filed with the  
437 youth court or which is to be considered by the youth court at a  
438 hearing.

439 (5) (a) The youth court prosecutor or prosecutors, the  
440 county attorney, the district attorney, the youth court defender  
441 or defenders, or any attorney representing a child shall have the  
442 right to inspect and copy any law enforcement record involving  
443 children.

444 (b) The Department of Child Protection Services shall  
445 disclose to a county prosecuting attorney or district attorney any  
446 and all records resulting from an investigation into suspected  
447 child abuse or neglect when the case has been referred by the  
448 Department of Child Protection Services to the county prosecuting  
449 attorney or district attorney for criminal prosecution.

450 (c) Agency records made confidential under the  
451 provisions of this section may be disclosed to a court of  
452 competent jurisdiction.

453 (d) Records involving children shall be disclosed to  
454 the Division of Victim Compensation of the Office of the Attorney  
455 General upon the division's request without order of the youth  
456 court for purposes of determination of eligibility for victim  
457 compensation benefits.

458 (6) Information concerning an investigation into a report of  
459 child abuse or child neglect may be disclosed by the Department of  
460 Child Protection Services without order of the youth court to any  
461 attorney, physician, dentist, intern, resident, nurse,  
462 psychologist, social worker, family protection worker, family  
463 protection specialist, child caregiver, minister, law enforcement  
464 officer, or a public or private school employee making that report  
465 pursuant to Section 43-21-353(1) if the reporter has a continuing  
466 professional relationship with the child and a need for such  
467 information in order to protect or treat the child.



468       (7) Information concerning an investigation into a report of  
469 child abuse or child neglect may be disclosed without further  
470 order of the youth court to any interagency child abuse task force  
471 established in any county or municipality by order of the youth  
472 court of that county or municipality.

473       (8) Names and addresses of juveniles twice adjudicated as  
474 delinquent for an act which would be a felony if committed by an  
475 adult or for the unlawful possession of a firearm shall not be  
476 held confidential and shall be made available to the public.

477       (9) Names and addresses of juveniles adjudicated as  
478 delinquent for murder, manslaughter, burglary, arson, armed  
479 robbery, aggravated assault, any sex offense as defined in Section  
480 45-33-23, for any violation of Section 41-29-139(a)(1) or for any  
481 violation of Section 63-11-30, shall not be held confidential and  
482 shall be made available to the public.

483       (10) The judges of the circuit and county courts, and  
484 presentence investigators for the circuit courts, as provided in  
485 Section 47-7-9, shall have the right to inspect any youth court  
486 records of a person convicted of a crime for sentencing purposes  
487 only.

488       (11) The victim of an offense committed by a child who is  
489 the subject of a youth court cause shall have the right to be  
490 informed of the child's disposition by the youth court.

491       (12) A classification hearing officer of the State  
492 Department of Corrections, as provided in Section 47-5-103, shall

493 have the right to inspect any youth court records, excluding abuse  
494 and neglect records, of any offender in the custody of the  
495 department who as a child or minor was a juvenile offender or was  
496 the subject of a youth court cause of action, and the State Parole  
497 Board, as provided in Section 47-7-17, shall have the right to  
498 inspect such records when the offender becomes eligible for  
499 parole.

500 (13) The youth court shall notify the Department of Public  
501 Safety of the name, and any other identifying information such  
502 department may require, of any child who is adjudicated delinquent  
503 as a result of a violation of the Uniform Controlled Substances  
504 Law.

505 (14) The Administrative Office of Courts shall have the  
506 right to inspect any youth court records in order that the number  
507 of youthful offenders, abused, neglected, truant and dependent  
508 children, as well as children in need of special care and children  
509 in need of supervision, may be tracked with specificity through  
510 the youth court and adult justice system, and to utilize tracking  
511 forms for such purpose.

512 (15) Upon a request by a youth court, the Administrative  
513 Office of Courts shall disclose all information at its disposal  
514 concerning any previous youth court intakes alleging that a child  
515 was a delinquent child, child in need of supervision, child in  
516 need of special care, truant child, abused child or neglected  
517 child, as well as any previous youth court adjudications for the



518 same and all dispositional information concerning a child who at  
519 the time of such request comes under the jurisdiction of the youth  
520 court making such request.

521 (16) The Administrative Office of Courts may, in its  
522 discretion, disclose to the Department of Public Safety any or all  
523 of the information involving children contained in the office's  
524 youth court data management system known as Mississippi Youth  
525 Court Information Delivery System or "MYCIDS."

526 (17) The youth courts of the state shall disclose to the  
527 Joint Legislative Committee on Performance Evaluation and  
528 Expenditure Review (PEER) any youth court records in order that  
529 the number of youthful offenders, abused, neglected, truant and  
530 dependent children, as well as children in need of special care  
531 and children in need of supervision, may be tracked with  
532 specificity through the youth court and adult justice system, and  
533 to utilize tracking forms for such purpose. The disclosure  
534 prescribed in this subsection shall not require a court order and  
535 shall be made in sortable, electronic format where possible. The  
536 PEER Committee may seek the assistance of the Administrative  
537 Office of Courts in seeking this information. The PEER Committee  
538 shall not disclose the identities of any youth who have been  
539 adjudicated in the youth courts of the state and shall only use  
540 the disclosed information for the purpose of monitoring the  
541 effectiveness and efficiency of programs established to assist

542 adjudicated youth, and to ascertain the incidence of adjudicated  
543 youth who become adult offenders.

544 (18) In every case where an abuse or neglect allegation has  
545 been made, the confidentiality provisions of this section shall  
546 not apply to prohibit access to a child's records by any state  
547 regulatory agency, any state or local prosecutorial agency or law  
548 enforcement agency; however, no identifying information concerning  
549 the child in question may be released to the public by such agency  
550 except as otherwise provided herein.

551 (19) In every case of child abuse or neglect, if a child's  
552 physical condition is medically labeled as medically "serious" or  
553 "critical" or a child dies, the confidentiality provisions of this  
554 section shall not apply. In such cases, the following information  
555 may be released by the Mississippi Department of Child Protection  
556 Services: the cause of the circumstances regarding the fatality  
557 or medically serious or critical physical condition; the age and  
558 gender of the child; information describing any previous reports  
559 of child abuse or neglect investigations that are pertinent to the  
560 child abuse or neglect that led to the fatality or medically  
561 serious or critical physical condition; the result of any such  
562 investigations; and the services provided by and actions of the  
563 state on behalf of the child that are pertinent to the child abuse  
564 or neglect that led to the fatality or medically serious or  
565 critical physical condition.

566 (20) Any member of a foster care review board designated by  
567 the Department of Child Protection Services shall have the right  
568 to inspect youth court records relating to the abuse, neglect or  
569 child in need of supervision cases assigned to such member for  
570 review.

571 (21) Information concerning an investigation into a report  
572 of child abuse or child neglect may be disclosed without further  
573 order of the youth court in any administrative or due process  
574 hearing held, pursuant to Section 43-21-257, by the Department of  
575 Child Protection Services for individuals whose names will be  
576 placed on the central registry as substantiated perpetrators.

577 (22) The Department of Child Protection Services may  
578 disclose records involving children to the following:

579 (a) A foster home, residential child-caring agency or  
580 child-placing agency to the extent necessary to provide such care  
581 and services to a child;

582 (b) An individual, agency or organization that provides  
583 services to a child or the child's family in furtherance of the  
584 child's permanency plan to the extent necessary in providing those  
585 services;

586 (c) Health and mental health care providers of a child  
587 to the extent necessary for the provider to properly treat and  
588 care for the child:

589 (d) An educational institution or educational services  
590 provider where the child is enrolled or where enrollment is



591 anticipated to the extent necessary for the school to provide  
592 appropriate services to the child;

593 (e) Any state agency or board that administers student  
594 financial assistance programs. However, any records request under  
595 this paragraph shall be initiated by the agency or board for the  
596 purpose determining the child's eligibility for student financial  
597 assistance, and any disclosure shall be limited to the  
598 verification of the child's age during the period of time in which  
599 the child was in the department's legal custody; and

600 (f) Any other state agency if the disclosure is  
601 necessary to the department in fulfilling its statutory  
602 responsibilities in protecting the best interests of the child.

603 (23) Nothing in this section or chapter shall require youth  
604 court approval for disclosure of records involving children as  
605 defined in Section 43-21-105(u), if the disclosure is made in a  
606 criminal matter by a municipal or county prosecutor, a district  
607 attorney or statewide prosecutor, pursuant to the Mississippi  
608 Rules of Criminal Procedure and the records are disclosed under a  
609 protective order issued by the Circuit Court presiding over the  
610 criminal matter which incorporates the penalties stated in Section  
611 43-21-267.

612 (24) The provisions of this section shall stand repealed on  
613 July 1, 2026.

614 **SECTION 7.** Section 43-21-907, Mississippi Code of 1972, is  
615 amended as follows:

616           43-21-907. (1) The licensing agency shall have the  
617 following powers and duties, in addition to the other duties  
618 prescribed by law:

619           (a) To adopt the licensing standards set forth by the  
620 Juvenile Detention and Alternatives Taskforce's 2014 report;

621           (b) To promulgate future rules and regulations  
622 concerning the licensing and regulation of juvenile detention  
623 facilities;

624           (c) To issue, deny, suspend, revoke, restrict, or  
625 otherwise take disciplinary action against juvenile detention  
626 facilities;

627           (d) To provide the training required by the rules and  
628 regulations promulgated by the licensing agency to all facility  
629 administrators and facility staff; and

630           (e) To have such other powers as may be required to  
631 carry out the provisions of Sections 43-21-901 through 43-21-915.

632           (2) The licensing agency shall require a criminal records  
633 background check and a child abuse registry check for all facility  
634 administrators and facility staff of a juvenile detention  
635 facility. The Department of Human Services has the authority to  
636 disclose to the licensing agency any potential applicant whose  
637 name is listed on the Child Abuse Central Registry or has a  
638 pending administrative review. That information shall remain  
639 confidential.

640 (3) The licensing agency shall have the authority to exclude  
641 individuals or entities for prospective or current employment on  
642 the basis of a particular crime or crimes or a substantiated  
643 finding of child abuse or neglect.

644 (4) Information in the possession of the licensing agency  
645 concerning the license of a juvenile detention facility may be  
646 disclosed to the public, but the information shall not be  
647 disclosed in a manner that would identify children detained in the  
648 facility. Nothing in this section affects the agency's authority  
649 to release findings of investigations into allegations of abuse  
650 under either Section 43-21-353( \* \* \*9) or Section 43-21-257.

651 (5) The Mississippi Department of Education is responsible  
652 for promulgating rules and regulations related to the education of  
653 all children housed in a juvenile detention facility. The  
654 Mississippi Department of Education must conduct inspections of  
655 the facility's educational services at least annually or more  
656 often as deemed necessary. After each inspection, the department  
657 must provide the licensing agency with its determination of the  
658 facility's compliance with the education provisions. The  
659 licensing agency shall use the information in its determination of  
660 the facility's eligibility for licensure.

661       **SECTION 8.** This act shall take effect and be in force from  
662 and after July 1, 2025.

