

By: Senator(s) Wiggins

To: Judiciary, Division A;
Appropriations

SENATE BILL NO. 2785

1 AN ACT TO AMEND SECTION 43-26-13, MISSISSIPPI CODE OF 1972,
2 TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO EXPEND
3 FEDERAL FUNDS WHICH IT ADMINISTERS ONLY IN A MANNER AUTHORIZED BY
4 THE APPLICABLE SOURCE OF FEDERAL FUNDS; TO PROVIDE THAT CERTAIN
5 EXPENSES WHICH ARE ORDERED TO BE PAID BY A YOUTH COURT FOR A CHILD
6 IN CUSTODY SHALL NOT BE PAID BY THE DEPARTMENT OF CHILD PROTECTION
7 SERVICES UNLESS AUTHORIZED BY A SOURCE OF FEDERAL FUNDS OR BY A
8 SPECIFIC APPROPRIATION BY THE LEGISLATURE THEREFOR; AND FOR
9 RELATED PURPOSES.

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

11 **SECTION 1.** Section 43-26-13, Mississippi Code of 1972, is
12 amended as follows:

13 43-26-13. (1) The governing authority of any municipality
14 or county in this state is authorized and empowered, in its
15 discretion, to expend such funds as it deems necessary and
16 desirable, from any available funds of the municipality or county,
17 to: (a) match any state, federal or private funds available for
18 any program administered by the Department of Child Protection
19 Services in this state; and/or (b) make a voluntary contribution
20 to any such program.



21 (2) The Department of Child Protection Services shall expend
22 those federal funds which it administers only in a manner
23 authorized by the applicable source of federal funds, whether as a
24 match as set forth in subsection (1) or as any other type of
25 expenditure.

26 (3) Any of the following expenses which are ordered to be
27 paid by a youth court for a child in custody shall not be paid by
28 the Department of Child Protection Services unless authorized by a
29 source of federal funds or by a specific appropriation by the
30 Legislature for such services:

31 (a) The cost of medical and other examinations and
32 treatment of a child ordered by the court;

33 (b) The cost of care and support of a child committed
34 by the court to the legal custody of an individual or a public or
35 private agency other than the Department of Child Protection
36 Services, but the court may order supplemental payments, if such
37 are necessary or desirable for services;

38 (c) Reasonable compensation for services and related
39 expenses of an attorney appointed by the court, when appointed by
40 the court to represent a child and when appointed by the court to
41 conduct the proceedings;

42 (d) Reasonable compensation for a guardian ad litem;

43 (e) The expense of service of summons, notices, and
44 subpoenas; travel expenses of witnesses; transportation,
45 subsistence, and detention of a child for youth court proceedings;



46 and other like expenses incurred in the proceedings under Title
47 43, Chapter 21; and

48 (f) The cost of therapeutic counseling.

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

