

By: Representative Ford

To: Juvenile Justice

HOUSE BILL NO. 842  
(As Sent to Governor)

1 AN ACT TO REENACT SECTION 43-27-20, MISSISSIPPI CODE OF 1972,  
2 WHICH CREATES THE DIVISION OF COMMUNITY SERVICES FOR THE  
3 DEPARTMENT OF YOUTH SERVICES AND PROVIDES THE QUALIFICATIONS AND  
4 DUTIES FOR THE DIRECTOR OF THE DIVISION OF COMMUNITY SERVICES; TO  
5 AMEND REENACTED SECTION 43-27-20, MISSISSIPPI CODE OF 1972, TO  
6 EXTEND THE DATE OF REPEAL ON THAT SECTION FROM JULY 1, 2003, TO  
7 JULY 1, 2009; TO AMEND SECTION 43-27-11, MISSISSIPPI CODE OF 1972,  
8 TO REVISE THE AUTHORITY OF THE DEPARTMENT OF HUMAN SERVICES TO  
9 EXPEND THE PROCEEDS OF MINERAL LEASES AND TIMBER SALES; AND FOR  
10 RELATED PURPOSES.

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

12 **SECTION 1.** Section 43-27-20, Mississippi Code of 1972, is  
13 reenacted and amended as follows:

14 43-27-20. (a) Within the Department of Youth Services there  
15 shall be a Division of Community Services which shall be headed by  
16 a director appointed by and responsible to the Director of the  
17 Department of Youth Services. He shall hold a master's degree in  
18 social work or a related field and shall have no less than three  
19 (3) years' experience in social services, or in lieu of such  
20 degree and experience, he shall have a minimum of eight (8) years'  
21 experience in social work or a related field. He shall employ and  
22 assign the community workers to serve in the various areas in the  
23 state and any other supporting personnel necessary to carry out  
24 the duties of the Division of Community Services.

25 (b) The Director of the Division of Community Services shall  
26 assign probation and aftercare workers to the youth court or  
27 family court judges of the various court districts upon the  
28 request of the individual judge on the basis of case load and  
29 need, when funds are available. The probation and aftercare  
30 workers shall live in their respective districts except upon  
31 approval of the Director of the Division of Community Services.



32 The Director of the Division of Community Services is authorized  
33 to assign a youth services counselor to a district other than the  
34 district in which the youth services counselor lives upon the  
35 approval of the youth court judge of the assigned district and the  
36 Director of the Division of Youth Services. Every placement shall  
37 be with the approval of the youth court or the family court judge,  
38 and a probation and aftercare worker may be removed for cause from  
39 a youth or family court district.

40 (c) Any counties or cities which, on July 1, 1973, have  
41 court counselors or similar personnel may continue using this  
42 personnel or may choose to come within the statewide framework.

43 (d) A probation and aftercare worker may be transferred by  
44 the division from one court to another after consultation with the  
45 judge or judges in the court to which the employee is currently  
46 assigned.

47 (e) The Division of Community Services shall have such  
48 duties as the Department of Youth Services shall assign to it  
49 which shall include, but not be limited to, the following:

50 (1) Preparing the social, educational and home-life  
51 history and other diagnostic reports on the child for the benefit  
52 of the court or the training school; however, this provision shall  
53 not abridge the power of the court to require similar services  
54 from other agencies, according to law.

55 (2) Serving in counseling capacities with the youth or  
56 family courts.

57 (3) Serving as probation agents for the youth or family  
58 courts.

59 (4) Serving, advising and counseling of children in the  
60 various institutions under the control of the Division of Juvenile  
61 Correctional Institutions as may be necessary to the placement of  
62 the children in proper environment after release and the placement  
63 of children in suitable jobs where necessary and proper.



64 (5) Supervising and guiding of children released or  
65 conditionally released from institutions under the control of the  
66 Division of Juvenile Correctional Institutions.

67 (6) Counseling in an aftercare program.

68 (7) Coordinating the activities of supporting community  
69 agencies which aid in the social adjustment of children released  
70 from the institution and in an aftercare program.

71 (8) Providing or arranging for necessary services  
72 leading to the rehabilitation of delinquents, either within the  
73 division or through cooperative arrangements with other  
74 appropriate agencies.

75 (9) Providing counseling and supervision for any child  
76 under ten (10) years of age who has been brought to the attention  
77 of the court when other suitable personnel is not available and  
78 upon request of the court concerned.

79 (10) Supervising the aftercare program and making  
80 revocation investigations at the request of the court.

81 (f) This section shall stand repealed on July 1, 2009.

82 **SECTION 2.** Section 43-27-11, Mississippi Code of 1972, is  
83 amended as follows:

84 43-27-11. The Mississippi Department of Human Services shall  
85 succeed to the exclusive control of all records, books, papers,  
86 equipment and supplies, and all lands, buildings and other real  
87 and personal property now or hereafter belonging to or assigned to  
88 the use and benefit or under the control of the Columbia Training  
89 School and the Oakley Training School, and shall have the exercise  
90 and control of the use, distribution and disbursement of all  
91 funds, appropriations and taxes now or hereafter in possession,  
92 levied, collected or received or appropriated for the use,  
93 benefit, support and maintenance of these two (2) institutions,  
94 and the department shall have general supervision of all the  
95 affairs of the two (2) institutions herein named, and the care and  
96 conduct of all buildings and grounds, business methods and



97 arrangements of accounts and records, the organization of the  
98 administrative plans of each institution, and all other matters  
99 incident to the proper functioning of the institutions. The  
100 department shall have full authority over the operation of any and  
101 all farms at each of said institutions and over the distribution  
102 of agricultural, dairy, livestock and any and all other products  
103 therefrom and over all funds received from the sale of hogs and  
104 livestock. All sums realized from the sale of products  
105 manufactured and fabricated in the shops of the vocational  
106 departments of such institutions shall be placed in the revolving  
107 fund of the respective institutions in which said products were  
108 manufactured, fabricated and sold.

109 The department shall be authorized to lease the lands for  
110 oil, gas and mineral exploration, and for such other purposes as  
111 the department deems to be appropriate, on such terms and  
112 conditions as the department and lessee agree. The department may  
113 contract with the State Forestry Commission for the proper  
114 management of forest lands and the sale of timber, and the  
115 department is expressly authorized to sell timber and forestry  
116 products. The department is further authorized to expend the net  
117 proceeds from incomes from all leases and timber sales exclusively  
118 for the instructional purposes or operational expenses, or both,  
119 at the two (2) institutions under its jurisdiction \* \* \*.

120 The granting of any leases for oil, gas and mineral  
121 exploration shall be on a public bid basis as prescribed by law.

122 **SECTION 3.** This act shall take effect and be in force from  
123 and after July 1, 2003.

