

By: Senator(s) Carlton, Burton, Dearing,
Hamilton, Harvey, Jackson, Johnson (19th),
Jordan, King, Moffatt, Nunnelee, Smith,
Stogner, Thames, Walden

To: Judiciary

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2629

1 AN ACT TO AMEND SECTION 93-15-105, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE PROCEDURE FOR TERMINATION OF PARENTAL RIGHTS IN
3 CERTAIN CASES; AND TO REMOVE ANY DISCREPANCIES IN NOTICE PERIODS
4 BETWEEN THE STATUTES AND THE RULES OF CIVIL PROCEDURE; AND FOR
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 93-15-105, Mississippi Code of 1972, is
8 amend as follows:

9 93-15-105. (1) Any person, agency or institution may file
10 for termination of parental rights in the chancery court or the
11 family or county court sitting as the youth court of the county in
12 which a defendant or the child resides, or in the county where an
13 agency or institution holding custody of the child is located.
14 The chancery court, or the chancellor in vacation, or the family
15 court, or the family court judge in vacation, or the county court
16 when sitting as the youth court, or such county court judge in
17 vacation, may set the cause for hearing in termtime or in
18 vacation. The petition shall be triable either in termtime or in
19 vacation after * * * service of process as provided in the
20 Mississippi Rules of Civil Procedure.

21 (2) In all cases involving termination of parental rights, a
22 minor parent may be served with process as an adult.

23 (3) In the event that one (1) parent voluntarily releases
24 his child for adoption a copy of the summons served on the child
25 shall not be required to be served on the releasing parent.

26 (4) In an appropriate case, determination of the rights of
27 the father of a child born out of wedlock may be made in



28 proceedings pursuant to a petition for determination of rights as
29 provided in Section 93-17-6.

30 **SECTION 2.** This act shall take effect and be in force from
31 and after July 1, 2003.

