

By: Representative Warren

To: Public Health and Human Services

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 293

1 AN ACT TO AMEND SECTION 43-17-37, MISSISSIPPI CODE OF 1972,  
2 TO EXTEND THE REPEALER ON THE MISSISSIPPI OUT-OF-WEDLOCK  
3 PREGNANCIES INCENTIVE GRANT FUND; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 43-17-37, Mississippi Code of 1972, is  
6 reenacted and amended as follows:

7 43-17-37. (1) There is hereby created in the State Treasury  
8 a special fund to be known as the Mississippi Reducing  
9 Out-Of-Wedlock Pregnancies Incentive Grant Fund into which shall  
10 be deposited the federal funds available for bonuses for the  
11 reduction in out-of-wedlock births awarded under the federal  
12 Personal Responsibility and Work Opportunity Reconciliation Act of  
13 1996 (Public Law 104-193) and such other money as the Legislature  
14 may provide by appropriation. The money in the fund shall be used  
15 for the purpose of providing financial incentives to counties to  
16 reduce their out-of-wedlock birth rates as required by federal  
17 welfare reform legislation. The fund shall be administered by the  
18 Department of Human Services. Unexpended amounts remaining in the  
19 fund at the end of the fiscal year shall not lapse into the State  
20 General Fund, and any interest earned on amounts in the fund shall  
21 be deposited to the credit of the fund; provided that any  
22 unexpended amounts remaining in the fund on December 31, 2003,  
23 shall lapse into the State General Fund.

24 (2) The Department of Human Services shall make annual  
25 awards from the fund to the top five (5) counties with the  
26 greatest reduction in out-of-wedlock births without an increase in  
27 abortions in each of the following categories:

28           (a) One Hundred Thousand Dollars (\$100,000.00) in  
29 counties which had two hundred fifty (250) or fewer total live  
30 births;

31           (b) Two Hundred Fifty Thousand Dollars (\$250,000.00) in  
32 counties which had between two hundred fifty (250) and five  
33 hundred (500) total live births;

34           (c) Five Hundred Thousand Dollars (\$500,000.00) in  
35 counties which had five hundred (500) or more total live births.

36           (3) Determination of the recipient counties will be based on  
37 an average of the previous two (2) years' out-of-wedlock birth  
38 rates compared to the previous two-year average, and the number of  
39 abortions performed on county residents compared to the number for  
40 calendar year 1998 as reported by the State Department of Health.  
41 In order to qualify for the award funds, the reduction in the  
42 out-of-wedlock birth rate shall be at least three percent (3%).

43           (4) In order to be considered for an incentive award, the  
44 county board of supervisors shall appoint an advisory committee  
45 which shall develop a plan for the county to be submitted by the  
46 county board of supervisors to the Department of Human Services by  
47 December 1, 2000, and by December 1 of each subsequent year.

48           (5) Each county receiving an incentive award will be subject  
49 to the following requirements:

50           (a) The county must use the incentive award for some  
51 type of youth enrichment, such as, but not limited to, continuing  
52 the implementation of the plan that reduced out-of-wedlock  
53 pregnancies, education-related projects, recreational facilities,  
54 or a summer work program; and

55           (b) The county must submit a report to the Department  
56 of Human Services on the methods used to achieve the reduction in  
57 out-of-wedlock births, and submit a separate report to the  
58 department explaining how the incentive award was spent.

59           (6) If the fund is not adequate to make the distributions  
60 presented under this section, the department may award funds to  
61 counties on a reduced pro rata basis.

62           (7) Funds shall be distributed each year following the  
63 release of the vital statistics report of the Mississippi State  
64 Department of Health. The first disbursement from the fund shall  
65 be made after such report is released which shows the statistics  
66 for calendar year 2000.

67           (8) This section shall stand repealed from and after  
68 December 31, 2010.

69           **SECTION 2.** This act shall take effect and be in force from  
70 and after July 1, 2005.