

By: Senator(s) Hopson, Polk, Branning,
Wiggins, Frazier, McMahan, Parks, Parker,
Jordan, Butler

To: Appropriations

SENATE BILL NO. 3162
(As Sent to Governor)

1 AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CAPITAL
2 EXPENSE FUND TO THE DEPARTMENT OF MENTAL HEALTH FOR THE PURPOSE OF
3 ENTERING INTO A SUBGRANT WITH CANOPY CHILDREN'S SOLUTIONS FOR THE
4 CONSTRUCTION AND RENOVATION OF THE CARES CENTER, INCLUDING THE
5 CHILDREN AND YOUTH PSYCHIATRIC RESIDENTIAL TREATMENT FACILITY FOR
6 TRAUMA RECOVERY, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS
7 ACT AND ENDING JUNE 30, 2025.

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

9 **SECTION 1.** The following sum, or so much thereof as may be
10 necessary, is appropriated out of any money not otherwise
11 appropriated, to the credit of the Capital Expense Fund, and
12 allocated in a manner as determined by the Treasurer's Office, to
13 the Department of Mental Health for the purpose of entering into a
14 subgrant with Canopy Children's Solutions for the construction and
15 renovation of the CARES Center, including the children and youth
16 Psychiatric Residential Treatment Facility for Trauma Recovery for
17 the period beginning upon the passage of this act and ending June
18 30, 2025.....\$ 20,000,000.00.

19 **SECTION 2.** As a condition of expending the funds
20 appropriated under Section 1 of this act, the Department of Mental



21 Health shall enter into a memorandum of agreement with Canopy
22 Children's Solutions governing the operation of the CARES Center
23 that requires Canopy Children's Solutions to:

24 (a) Designate a minimum of thirty-three (33) beds for
25 first preference and priority admission for individuals who meet
26 admission criteria and are under the care of the Department of
27 Mental Health and Child Protection Services;

28 (b) Agree to provide and maintain such beds in a
29 condition to satisfy the regulatory standards of the Department of
30 Health by a date to be determined by the Department of Mental
31 Health;

32 (c) Execute a promissory note and a deed of trust
33 between Canopy Children's Solutions and the Department of Mental
34 Health evidencing a security interest in the CARES Center for a
35 sum equal to the amount of state funds expended to construct or
36 renovate the CARES Center;

37 (d) Consistent with the terms of the promissory note,
38 reimburse a sum equal to the amount of state funds expended to
39 construct or renovate the CARES Center to the Department of Mental
40 Health upon the substantial breach of the memorandum of agreement
41 required by this section;

42 (e) Authorize the Department of Mental Health to assert
43 or maintain a claim in any proceeding instituted in the First
44 Judicial District of Hinds County Chancery Court, to recoup a sum
45 equal to the amount of state funds expended to construct and



46 renovate the CARES Center upon the substantial breach of the
47 memorandum of agreement required by this section; and

48 (f) Release the Department of Mental Health, the state,
49 and any of its political subdivisions from any obligation to
50 maintain the CARES Center or any designated state beds.

51 For purposes of this section, a substantial breach of the
52 memorandum of agreement shall include the failure to maintain the
53 designated state beds in a condition to satisfy the regulatory
54 standards required by this section for a period of three (3)
55 consecutive months, the dissolution of Canopy Children's
56 Solutions, a filing for bankruptcy by Canopy Children's Solutions,
57 or the permanent cessation of operation of the CARES Center.

58 **SECTION 3.** None of the funds appropriated by this act shall
59 be used to pay employee premium payments.

60 **SECTION 4.** The money appropriated by this act shall be paid
61 by the State Treasurer out of any money in the Capital Expense
62 Fund not otherwise appropriated, upon warrants issued by the State
63 Fiscal Officer; and the State Fiscal Officer shall issue his or
64 her warrants upon requisitions signed by the proper person,
65 officer or officers in the manner provided by law.

66 **SECTION 5.** This act shall take effect and be in force from
67 and after its passage.

