

LEGISLATIVE UPDATE – 2008 REGULAR SESSION
MISSISSIPPI JUVENILE JUSTICE ADVISORY GROUP
JULY 10, 2008

House Bill 135

To extend the date of the repealer on the duty of local school boards to make available surplus textbooks to the parents of school-age children residing in the school district to July 1, 2001. To amend Section 37-43-1, Mississippi Code of 1972. **Approved by Governor 04/02/08.**

House Bill 244

Discontinue the use of Columbia Training School as a secure training school for all juvenile delinquents; to provide that all youth committed to training school shall be housed at Oakley Training School. *This is the bill where the attempt to extract the 90 day provision was housed. The bill was amended late in the session to restore present law.* To amend Section 43-21-605, Mississippi Code of 1972. **Approved by Governor 05/10/08.**

House Bill 348

Require youth detention staff to notify school districts if a detained child misses one or more days from school due to such child's detainment. *The real purpose of this statute was to change present law which required notification after the first day in detention. Under this statute the notification will occur only if the detention will include a missed day of school. Therefore, any weekend and holiday detention are not to be reported to schools.* To amend Section 43-21-321, Mississippi Code of 1972. **Approved by Governor 04/3/08.**

House Bill 509

To authorize a state, county or municipal prisoner to provide public service work for churches. To amend Section 47-1-19, Mississippi Code of 1972. **Approved by Governor 03/31/08.**

House Bill 519

Create a zone of 1,500 feet around residential child-caring agencies, children's group care homes, playgrounds, ball parks and certain other areas within which a sex offender may not reside. To amend Section 45-33-25, Mississippi of 1972. **Approved by Governor 04/03/08.**

House Bill 524

To authorize the Department of Human Services to institute proceedings to establish paternity at any time until the child attains the age of 21 years unless the child is emancipated. To amend Section 93-9-9, Mississippi Code of 1972. **Approved by Governor 04/03/08.**

House Bill 859

To increase salaries of elected county and state officials. To amend Section 25-3-3, 25-3-13, 25-3-25, 25-3-36, 41-61-59, 9-1-43, 25-3-31, 25-3-35, 5-1-41, 5-1-43, 5-1-45, 5-1-46, Mississippi Code of 1972. **Approved by Governor 05/10/08.**

House Bill 823

To revise conditions under which an illegitimate child may inherit from the natural father. To amend Section 91-1-15, Mississippi Code of 1972. **Approved by Governor 03/31/08.**

House Bill 925

To provide enhanced punishment for assault on training school juvenile care worker. To amend Section 97-3-7, Mississippi Code of 1972. **Approved by Governor 5/10/08.**

House Bill 1064

To provide that the state Department of Health shall provide administrative support for the Child Death Review Panel. To amend Section 41-111-1, Mississippi Code of 1972. **Approved by Governor 03/11/08.**

House Bill 1108

Include bribing a judge in offenses affecting justice. To create Section 97-9-116, Mississippi Code of 1972. **Approved by Governor 04/03/08.**

House Bill 1227

Provide for the use of Web Cam in addition to closed-circuit television for appearance in court. To amend Section 99-1-23, Mississippi Code of 1972. **Approved Governor 03/31/08.**

House Bill 1326

Authorize certain counties to employ a county prosecuting attorney full time. To amend Section 25-3-9, Mississippi Code of 1972. **Approved by Governor 03/31/08.**

House Bill 1593

Appropriation for the purpose of defraying the expenses of the Mississippi State Supreme Court which is comprised of the Supreme Court, The Office of the Supreme Court Clerk and the State Law Library and to pay expenses of Special Judges, Chancellors and Circuit Judges; and defraying the expenses of the Administrative Office of Courts and Certified Court Reporters, Continuing Legal Education, Court of Appeals and the Board of Bar Admissions, for Fiscal Year 2009. *This bill includes as part of the AOC appropriation the youth court support funds.* **Approved by Governor 05/06/08.**

House Bill 1619

Appropriation to the Department of Human Services for Fiscal Year 2009. An amount not to exceed \$6,250,343.00 is provided for Kinship Care payments. This is necessary by law to allow "kinship payments" which was found as part of the Olivia Y. lawsuit settlement in the Foster Care Program. An additional amount over the Fiscal Year 2008 funding level of \$11,000,000.00 of general funds and \$19,888,671.00 of special funds for the Foster Care Program in the Division of Family and Children's Services as is needed. **Approved by Governor 05/10/08.**

Senate Bill 2011

Revise the duration for validity of a Home Study in an international adoption. To amend Section 93-17-14, Mississippi Code of 1972. **Approved by Governor 03/24/08.**

Senate Bill 2430

Provide that the physical and mental examination of a person alleged to be in need of mental treatment under the commitment laws shall be made either by two physicians, or by a physician and psychologist, nurse practitioner or physician assistant rather than by physicians only; revise time by which that examination must be concluded from twenty-four hours to forty-eight hours after the court order for examination. To amend Section 41-21-67, 41-21-69, 41-21-71, 41-21-77, 41-21-79 AND 41-21-103, Mississippi Code of 1972. **Approved by Governor 05/08/08.**

Senate Bill 2246

Charge the State Drug Court Advisory Committee with developing viable and fiscally responsible plans to expand drug court programs that serve adult and juvenile offenders; to increase participation in such programs. To amend Section 9-23-9, Mississippi Code of 1972. **Approved by Governor 03/31/08.**

Senate Bill 2451

Provide that any entity exempt from the Child Care Licensing law which voluntarily chooses to obtain license is subject to all provisions of the licensing law; revise membership of the Child Care Advisory Council; and revise child care licensure fees and renewal fees. To amend Section 43-20-5, 43-20-7, 43-20-11 and 43-20-13, Mississippi Code of 1972. **Approved by Governor 04/21/08.**

Senate Bill 2600

Provide for the emancipation of a minor child without the necessity of a court order in certain circumstances. To amend Section 93-11-65, Mississippi Code of 1972. **Approved by Governor 05/09/08.**

Senate Bill 2601

Provide that any child who is adopted through a state-supported adoption agency shall be eligible for and continue to be eligible for Medicaid until the child's 18th birthday; authorize the continuation of Medicaid benefits until the 21st birthday of the child if found by the Department of Human Services to be in the best interest of the child. To amend Section 93-17-61, 93-17-67 43-1-51 and 43-9-1, Mississippi Code of 1972. **Approved by Governor 05/09/08.**

Senate Bill 2603

Provide that a petition for Termination of Parental Rights for children in the custody of the Department of Human Services shall be filed by the end of the child's 15th month in foster care. To amend Section 43-15-13, Mississippi Code of 1972. **Approved by Governor 05/09/08.**

Senate Bill 2709

Address problems arising when persons attempting to escape from actual or threatened domestic violence, stalking, or sexual assault establish new address in order to prevent their assailants or probable assailants from finding them; establish an Address Confidentiality Program in the Victim Compensation Division in the Office of the Attorney General; establish an exemption to the Mississippi Public Records Act of 1983 to enable public bodies to respond to requests for public records without disclosing the location of a victim of domestic violence, stalking, or sexual assault; facilitate interagency cooperation with the Office of the Attorney General in providing address confidentiality for victims of domestic violence, stalking, or sexual assault; and enable public bodies to accept a program participant's use of an address designated by the Office of the Attorney General as a substitute mailing address. **Approved by Governor 05/09/08.**

Senate Bill 2753

Provide for child custody and visitation upon temporary duty, deployment or mobilization. To amend Section 93-5-34 and 93-5-23, Mississippi Code of 1972. **Approved by Governor 03/31/08.**

Senate Bill 2779

Prohibit reproduction of child pornography during discovery. **Approved by Governor 03/31/08.**

Senate Bill 2797

Clarify the definition of "dating relationship"; clarify the factual considerations in a determination of probable cause in a domestic violence situation; and prohibit polygraph testing of victims of sexual assault. To amend Section 93-21-3, 97-3-7, 99-3-7, and 99-1-27, Mississippi Code of 1972. **Approved by Governor 03/31/08.**

Senate Bill 2866

Allow certain low-risk and non-violent offenders to be eligible for house arrest. To amend Section 47-5-1003, Mississippi Code of 1972. **Approved by Governor 03/24/08.**