

By: Representatives Fondren, Felsher,  
Kinkade

To: Judiciary A

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 1624

1 AN ACT TO ESTABLISH STATE STANDARDS AND OPERATING PROCEDURES  
2 FOR LOCAL COURT-APPOINTED SPECIAL ADVOCATE (CASA) PROGRAMS; TO  
3 DEFINE CERTAIN TERMS; TO AUTHORIZE A YOUTH COURT JUDGE TO  
4 ESTABLISH A LOCAL CASA PROGRAM GOVERNED BY A LOCAL BOARD OF  
5 DIRECTORS AND TO PRESCRIBE THE BOARD'S POWERS; TO REQUIRE THE  
6 STATE CASA ASSOCIATION TO PROVIDE SUPPORT SERVICES TO LOCAL CASA  
7 PROGRAMS; TO CREATE THE MISSISSIPPI CASA NETWORK FUND IN THE STATE  
8 TREASURY AND TO DIRECT THE DEPOSIT OF CERTAIN MONIES INTO THE  
9 FUND; TO ESTABLISH MINIMUM REQUIREMENTS FOR LOCAL CASA VOLUNTEERS;  
10 TO REQUIRE THE CLERK OF COURT TO PERFORM CERTAIN DUTIES IN  
11 RELATION TO CASA VOLUNTEERS APPOINTED TO A COURT CASE; TO  
12 PRESCRIBE THE DUTIES OF A CASA VOLUNTEER ASSIGNED TO A CASE; TO  
13 CREATE A STATE COURT-APPOINTED SPECIAL ADVOCATE (CASA)  
14 ASSOCIATION; TO PRESCRIBE THE STATE ASSOCIATION'S DUTIES; TO  
15 AUTHORIZE THE BOARD OF DIRECTORS OF THE ASSOCIATION TO EMPLOY A  
16 DIRECTOR AND TO ESTABLISH QUALIFICATIONS FOR THE DIRECTOR; TO  
17 AUTHORIZE THE ADMINISTRATIVE OFFICE OF COURTS TO PROVIDE  
18 SECRETARIAL AND SUPPORT SERVICES TO THE ASSOCIATION; TO REQUIRE  
19 LOCAL CASA PROGRAMS TO SUBMIT SPECIFIED DATA TO THE ASSOCIATION;  
20 TO AMEND SECTION 99-19-73, MISSISSIPPI CODE OF 1972, TO INCREASE  
21 THE STATE ASSESSMENT IMPOSED FOR DRUG VIOLATIONS FOR THE SUPPORT  
22 OF THE MISSISSIPPI FOSTER CARE FUND; TO AMEND SECTIONS 43-21-121  
23 AND 43-21-261, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE  
24 PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 37-26-11,  
25 MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI FOSTER  
26 CARE FUND AND PRESCRIBES THE PURPOSES FOR WHICH MONIES IN THE FUND  
27 MAY BE EXPENDED, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR  
28 RELATED PURPOSES.

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



30           **SECTION 1.** As used in this act, the following words and  
31 phrases have the meanings ascribed in this section unless the  
32 context clearly requires otherwise:

33           (a) "Association" means the state Court-Appointed  
34 Special Advocate Association established under Section 8 of this  
35 act.

36           (b) "Court" means youth court or, if there is no youth  
37 court in the county where the CASA program is located, then  
38 chancery court.

39           (c) "Court-appointed special advocate case" or "CASA  
40 case" means a child or group of siblings who are within the  
41 jurisdiction of the court as a result of abuse, neglect or  
42 dependency proceedings and for whom the court has appointed and  
43 the program director has assigned a CASA volunteer.

44           (d) "Court-appointed special advocate program" or "CASA  
45 program" means a program by which trained community volunteers are  
46 provided to the court for appointment to represent the best  
47 interests of children who have come into the court system as a  
48 result of dependency, abuse or neglect.

49           (e) "Court-appointed special advocate volunteer" or  
50 "CASA volunteer" means a person who completes training through,  
51 and is supervised by, a CASA program and appointed by a judge to  
52 represent the best interests of dependent, abused or neglected  
53 children in court.



54 (f) "Local board" means the local board of directors  
55 appointed or selected pursuant to Section 2 of this act to govern  
56 a local CASA program.

57 (g) "Program director" means the director of each local  
58 CASA program selected under Section 2 of this act.

59 (h) "State board" means the state board of directors  
60 elected under Section 8 of this act.

61 (i) "State director" means the director of the state  
62 association provided for in Section 10 of this act.

63 **SECTION 2.** (1) For the purpose of providing an independent,  
64 efficient and thorough representation for children who enter the  
65 court system as a result of dependency, abuse or neglect, there  
66 may be established a court-appointed special advocate program by  
67 the judge of the youth court or, if none, the senior chancellor in  
68 the county in which the program is established.

69 (2) A local CASA program must be governed by a local board  
70 of directors. For new CASA programs, the initial board must be  
71 appointed by the judge of the youth court or, if none, the senior  
72 chancellor. Thereafter, members must be selected by the existing  
73 board members. Each board must include at least seven (7)  
74 members. Each board member must have a demonstrated interest in  
75 child welfare issues and commitment to the purpose and role of the  
76 court-appointed special advocate volunteers. Employees of the  
77 Mississippi Department of Child Protection Services are not  
78 eligible to serve as officers on the board. As far as



79 practicable, members must be representative of the racial and  
80 ethnic composition of the area served by the CASA program. The  
81 following are the powers and duties of the board:

82 (a) Determine major personnel, organization, fiscal,  
83 and program policies including, but not limited to, the following:

84 (i) Measures to be taken to safeguard the CASA  
85 program's information relating to children, their families and the  
86 CASA volunteers;

87 (ii) The procedures for the recruitment,  
88 screening, training and supervision of CASA volunteers; and

89 (iii) The procedure for and circumstances  
90 warranting dismissal of a CASA volunteer from the CASA program;

91 (b) Determine overall plans and priorities for the CASA  
92 program, including provisions for evaluating progress against  
93 performance;

94 (c) Approve the program budget;

95 (d) Enforce compliance with all conditions of all  
96 grants contracts;

97 (e) Determine rules and procedures for the governing  
98 board;

99 (f) Select the officers and the executive committee, if  
100 any, of the governing board;

101 (g) Meet at least four (4) times each year;



102 (h) Submit an annual report to the association in the  
103 uniform manner required, which must include, but need not be  
104 limited to, the following information:

105 (i) Number of CASA volunteers in the program;

106 (ii) Number of program staff;

107 (iii) Number of children served;

108 (iv) Number of volunteers receiving initial  
109 training;

110 (v) Number of and topics for in-service training;

111 (vi) The type of source of the funds received and  
112 the amount received from each type of source during the previous  
113 fiscal year;

114 (vii) The expenditures during the previous year;

115 and

116 (viii) Other information as deemed appropriate.

117 (3) Local CASA programs shall comply with the National CASA  
118 Association and Mississippi CASA Association Standards for  
119 Programs. Local programs shall ensure that CASA volunteers are  
120 supervised adequately by providing at least one (1) supervisory  
121 staff person for every thirty (30) CASA volunteers who have been  
122 appointed by the court and assigned by the program director. Each  
123 local CASA program must be managed by a qualified director whose  
124 service may be voluntary or who may be paid a salary. The program  
125 director's duties include:



126 (a) Administration of the CASA program, as directed by  
127 the local and state boards;

128 (b) Recruitment, screening, training and supervision of  
129 CASA volunteers and other program staff;

130 (c) Facilitation of the performance of the  
131 court-appointed special advocates' duties; and

132 (d) Ensuring that the security measures established by  
133 the local and state boards for safeguarding the information  
134 relating to children, their families and the CASA volunteers are  
135 maintained.

136 (4) As far as practicable, CASA volunteers must be  
137 representative of the socioeconomic, racial and ethnic composition  
138 of the area served.

139 (5) CASA volunteers may be removed by the court for  
140 nonparticipation or other cause or by the program director  
141 pursuant to subsection (2) of this section.

142 (6) Employees of the Mississippi Department of Child  
143 Protection Services may not become volunteers or employees of the  
144 court appointed special advocate program.

145 (7) All written court-appointed special advocate reports  
146 submitted pursuant to Section 7 of this act must become part of  
147 the records of the child on file with the Mississippi Department  
148 of Child Protection Services.

149 (8) Each CASA volunteer, program director and other program  
150 staff must take an oath, administered by a judge of the court, to



151 keep confidential all information related to the appointed case  
152 except in conferring with or reports to the court, parties to the  
153 case, the Mississippi Department of Child Protection Services,  
154 others designated by the court, and as provided by law.

155 (9) CASA volunteers must be appointed by the presiding judge  
156 to represent the best interest of the child, subject to judicial  
157 discretion, and only after confirmation from the program director  
158 that the CASA volunteer has been screened properly and trained.

159 **SECTION 3.** (1) Secretarial and support services for each  
160 CASA program must be provided by the association. The  
161 Administrative Office of Courts also may provide secretarial and  
162 support services.

163 (2) CASA programs may receive private funds and local, state  
164 and federal government funding to ensure total or partial funding  
165 of program activities.

166 **SECTION 4.** (1) The Mississippi CASA Network Fund is created  
167 as a separate trust fund in the State Treasury to be administered  
168 by the Administrative Office of Courts.

169 (2) The fund will receive amounts collected from proceeds  
170 from grants, contributions, appropriations or other monies made  
171 available for the purposes of the fund. Monies in the fund must  
172 be used to support CASA programs in Mississippi.

173 (3) Monies remaining in the fund at the close of a fiscal  
174 year and interest earned on monies in the fund may not lapse into



175 the General Fund but must be carried forward to the next fiscal  
176 year.

177 (4) Fifty percent (50%) of the gross proceeds from the  
178 Mississippi Foster Care Fund created under Section 37-26-11 must  
179 be deposited into the Mississippi CASA Network Fund, and fifty  
180 percent (50%) must be granted to the Mississippi Association of  
181 Child Care Agencies for the purpose of expanding collaboration and  
182 training with Department of Child Protection Services staff and  
183 other purposes.

184 (5) Monies in the fund must be appropriated for the purposes  
185 set forth in this act and may not be appropriated or transferred  
186 by the Legislature for any other purposes.

187 **SECTION 5.** (1) A CASA volunteer must meet the following  
188 minimum requirements:

189 (a) Be at least twenty-one (21) years of age;

190 (b) Be of good moral character;

191 (c) Complete a written application providing the names  
192 of at least three (3) references;

193 (d) Submit to a personal interview with program staff;

194 (e) Submit to a criminal records background check; and

195 (f) Submit to child and vulnerable person abuse  
196 registries checks.

197 (2) If found acceptable, the applicant shall obtain a  
198 minimum of thirty (30) hours of initial training and take an oath





199 of confidentiality administered by a youth court judge or, if  
200 none, a chancellor in the chancery court district.

201 (3) Initial and in-service training of volunteers must be  
202 provided by the program director or staff following standards  
203 adopted pursuant to Section 9 of this act.

204 **SECTION 6.** (1) The clerk of court shall:

205 (a) Notify and provide a copy of all dependency, abuse  
206 and neglect petitions to the program director, as soon as the  
207 court makes a referral to the program director for assignment of a  
208 CASA volunteer to the case;

209 (b) Provide a copy of all court orders issued pursuant  
210 to this section; and

211 (c) Notify the program director of all scheduled court  
212 hearings for cases to which a CASA volunteer has been assigned.

213 (2) Upon appointment by the court to represent a child, the  
214 CASA volunteer will have access to all information and records  
215 pertaining to the child including, but not limited to, the records  
216 of the following entities: the Mississippi Department of Child  
217 Protection Services; childcare facilities licensed by the State  
218 Department of Health; public and private schools; physical and  
219 mental health care providers; law enforcement agencies; and other  
220 entities deemed appropriate by the court.

221 (3) With court approval, a CASA volunteer may have access to  
222 information and records pertaining to the parents or persons  
223 exercising custodial control or supervision of the child assigned



224 to the CASA volunteer, including information and records of the  
225 court, the Mississippi Department of Child Protection Services,  
226 public and private child care facilities, public and private  
227 schools, and the medical and psychological records of the child  
228 assigned to the volunteer. The volunteer must have access to the  
229 medical and psychological records of parents when the court  
230 determines that the information is essential to the welfare of the  
231 child and the court orders it.

232 **SECTION 7.** (1) CASA volunteers who have a conflict of  
233 interest in a case may not be appointed to the case.

234 (2) The CASA volunteer shall:

235 (a) Attend all court hearings, except that the CASA  
236 volunteer may be excused by the court or the program director if  
237 emergency circumstances arise;

238 (b) Submit no less than one (1) written report and  
239 recommendation to the judge every six (6) months for consideration  
240 in determining the best interest of the child at the dispositional  
241 hearing, dispositional review hearings, and other hearings as  
242 requested by the court for as long as the case is assigned to the  
243 CASA volunteer;

244 (c) Monitor the case by visiting the child as often as  
245 necessary to observe whether the child's essential needs are being  
246 met and whether court orders actually are being carried out;

247 (d) Participate in any treatment planning conferences  
248 and reviews involving the child to assess whether reasonable



249 efforts are being made to provide services to the child and family  
250 and determine the appropriateness and progress of the child's  
251 permanent plan;

252 (e) Advocate a prompt, thorough review of the case if  
253 the child's circumstances warrant the attention of the court;

254 (f) Interview parties involved in the case, including  
255 interviewing and observing the child;

256 (g) Maintain complete written records about the case;

257 (h) Report any incidents of child or adult abuse or  
258 neglect to the appropriate authorities and to the program  
259 director;

260 (i) Remain actively involved in the case until  
261 dismissed from the case by the program director or judge with  
262 competent jurisdiction or when an adoption proceeding is  
263 finalized;

264 (j) Return all case-related materials including, but  
265 not limited to, written notes, court reports and agency documents  
266 to the program director upon the request of the program director;  
267 and

268 (k) Work with the Mississippi Department of Child  
269 Protection Services representatives to advocate the best interest  
270 of the child.

271 **SECTION 8.** (1) A state Court-Appointed Special Advocate  
272 Association is established. All CASA volunteers, local board  
273 members, program directors and staff are eligible for membership



274 in the association. Other categories of membership may be created  
275 by the association.

276 (2) The association shall meet annually to elect a board of  
277 directors to manage the business of the association. The board  
278 shall elect a president, vice president, secretary and treasurer  
279 annually. The board shall meet at least four (4) times each year,  
280 and meetings may be held more frequently when called by the  
281 president of the board or by a majority of the board members.

282 **SECTION 9.** The association shall:

283 (a) Adopt and approve state standards for all CASA  
284 volunteers, program directors and other staff, including, but not  
285 limited to, guidelines for training;

286 (b) Adopt and approve the uniform annual data reporting  
287 procedures for local programs pursuant to subsection (2)(h) of  
288 Section 2; and

289 (c) Evaluate and make recommendations before January 1  
290 of each year to the Supreme Court, Governor, Judiciary Committees  
291 of the House of Representatives and Senate, and the Administrative  
292 Offices of Courts addressing:

293 (i) Laws of the state and practices, policies and  
294 procedures within the state affecting the welfare of children and  
295 families; and

296 (ii) The effectiveness or ineffectiveness,  
297 including reasons, of local CASA volunteers advocating for  
298 permanent placement for the children in the state.



299           SECTION 10. (1) If the state board employs a full-time  
300 staff person to serve as the director of the association, then the  
301 state director must be a person who, by a combination of  
302 education, professional qualification, training and experience is  
303 qualified to perform the duties of this position. The state  
304 director must be of good moral character with at least two (2)  
305 years of experience working in a position managing a human  
306 services program and who has received a:

307                   (a) Master's degree in social work, sociology,  
308 psychology, guidance and counseling, education, criminal justice  
309 or other human services field; or

310                   (b) Baccalaureate degree in social work, sociology,  
311 psychology, guidance and counseling, education, criminal justice  
312 or other human service field with, in addition to the work  
313 experience required in this subsection, at least two (2)  
314 additional years of experience working in the human services  
315 field.

316           (2) The duties of the state director are as follows:

317                   (a) To manage the state court-appointed special  
318 advocate office, including staff;

319                   (b) To coordinate the activities of the association;

320                   (c) To monitor the policies and practices of local CASA  
321 programs for compliance with state laws, National CASA Association  
322 Standards for Programs, and reporting requirements established by  
323 the state association; to assist local CASA programs in efforts to



324 achieve compliance; and to report to the state association the  
325 status of compliance by local CASA programs;

326 (d) Upon request of local CASA programs, to provide  
327 technical assistance to local CASA programs;

328 (e) To provide technical assistance and support to  
329 judges of the youth courts, chancery court judges and others in  
330 the development of new local CASA programs;

331 (f) To coordinate a statewide public awareness campaign  
332 for generating interest in developing new CASA programs,  
333 recruiting volunteers and informing the public of the issues  
334 concerning child abuse and neglect; and

335 (g) Other duties as directed by the association.

336 **SECTION 11.** (1) Secretarial and support services for the  
337 state board may be provided by the Administrative Office of  
338 Courts.

339 (2) The association may receive private funds and local,  
340 state and federal government funds to financially assist existing  
341 local CASA programs, assist local efforts to start a CASA program,  
342 and support other activities deemed appropriate by the  
343 association.

344 **SECTION 12.** Each CASA program shall forward annually to the  
345 association data collected pursuant to Sections 2 and 9 of this  
346 act, along with any recommendations regarding the policies and  
347 practices of the court, the Mississippi Department of Child  
348 Protection Services, and child-care facilities and child-placement



349 agencies affecting the children being represented by the CASA  
350 volunteers.

351 **SECTION 13.** Section 99-19-73, Mississippi Code of 1972, is  
352 amended as follows:

353 99-19-73. (1) **Traffic violations.** In addition to any  
354 monetary penalties and any other penalties imposed by law, there  
355 shall be imposed and collected the following state assessment from  
356 each person upon whom a court imposes a fine or other penalty for  
357 any violation in Title 63, Mississippi Code of 1972, except  
358 offenses relating to the Mississippi Implied Consent Law (Section  
359 63-11-1 et seq.) and offenses relating to vehicular parking or  
360 registration:

FUND	AMOUNT
State Court Education Fund.....	[Deleted]
State Prosecutor Education Fund.....	[Deleted]
Vulnerable Persons Training,	
Investigation and Prosecution Trust Fund.....	[Deleted]
Child Support Prosecution Trust Fund.....	[Deleted]
Driver Training Penalty Assessment Fund.....	[Deleted]
Law Enforcement Officers Training Fund.....	[Deleted]
Spinal Cord and Head Injury Trust Fund	
(for all moving violations).....	[Deleted]
Emergency Medical Services Operating Fund.....	[Deleted]
Mississippi Leadership Council on Aging Fund.....	[Deleted]
Law Enforcement Officers and Fire Fighters	



374           Death Benefits Trust Fund.....[Deleted]

375 Law Enforcement Officers and Fire Fighters

376           Disability Benefits Trust Fund.....[Deleted]

377 State Prosecutor Compensation Fund for the purpose

378           of providing additional compensation for

379           district attorneys and their legal assistants.....[Deleted]

380 Crisis Intervention Mental Health Fund.....[Deleted]

381 Intervention Court Fund.....[Deleted]

382 Judicial Performance Fund.....[Deleted]

383 Capital Defense Counsel Fund.....[Deleted]

384 Indigent Appeals Fund.....[Deleted]

385 Capital Post-Conviction Counsel Fund.....[Deleted]

386 Victims of Domestic Violence Fund.....[Deleted]

387 Public Defenders Education Fund.....[Deleted]

388 Domestic Violence Training Fund.....[Deleted]

389 Attorney General's Cyber Crime Unit.....[Deleted]

390 Children's Safe Center Fund.....[Deleted]

391 DuBard School for Language Disorders Fund.....[Deleted]

392 Children's Advocacy Centers Fund.....[Deleted]

393 Judicial System Operation Fund.....[Deleted]

394           GENERAL FUND.....\$    90.50

395           (2) **Implied Consent Law violations.** In addition to any

396 monetary penalties and any other penalties imposed by law, there

397 shall be imposed and collected the following state assessment from

398 each person upon whom a court imposes a fine or any other penalty





399 for any violation of the Mississippi Implied Consent Law (Section  
400 63-11-1 et seq.):

401	FUND	AMOUNT
402	Crime Victims' Compensation Fund.....	[Deleted]
403	State Court Education Fund.....	[Deleted]
404	State Prosecutor Education Fund.....	[Deleted]
405	Vulnerable Persons Training,	
406	Investigation and Prosecution Trust Fund.....	[Deleted]
407	Child Support Prosecution Trust Fund.....	[Deleted]
408	Driver Training Penalty Assessment Fund.....	[Deleted]
409	Law Enforcement Officers Training Fund.....	[Deleted]
410	Emergency Medical Services Operating Fund.....	[Deleted]
411	Mississippi Alcohol Safety Education Program Fund.....	[Deleted]
412	Federal-State Alcohol Program Fund.....	[Deleted]
413	Mississippi Forensics Laboratory	
414	Implied Consent Law Fund.....	[Deleted]
415	Spinal Cord and Head Injury Trust Fund.....	[Deleted]
416	Capital Defense Counsel Fund.....	[Deleted]
417	Indigent Appeals Fund.....	[Deleted]
418	Capital Post-Conviction Counsel Fund.....	[Deleted]
419	Victims of Domestic Violence Fund.....	[Deleted]
420	Law Enforcement Officers and Fire Fighters	
421	Death Benefits Trust Fund.....	[Deleted]
422	Law Enforcement Officers and Fire Fighters	
423	Disability Benefits Trust Fund.....	[Deleted]



424 State Prosecutor Compensation Fund for the purpose  
 425 of providing additional compensation for  
 426 district attorneys and their legal assistants.....[Deleted]  
 427 Crisis Intervention Mental Health Fund.....[Deleted]  
 428 Intervention Court Fund.....[Deleted]  
 429 Statewide Victims' Information and  
 430 Notification System Fund.....[Deleted]  
 431 Public Defenders Education Fund.....[Deleted]  
 432 Domestic Violence Training Fund.....[Deleted]  
 433 Attorney General's Cyber Crime Unit.....[Deleted]  
 434 GENERAL FUND.....\$ 243.50

435 (3) **Game and Fish Law violations.** In addition to any  
 436 monetary penalties and any other penalties imposed by law, there  
 437 shall be imposed and collected the following state assessment from  
 438 each person upon whom a court imposes a fine or other penalty for  
 439 any violation of the game and fish statutes or regulations of this  
 440 state:

441 FUND	AMOUNT
442 State Court Education Fund.....	[Deleted]
443 State Prosecutor Education Fund.....	[Deleted]
444 Vulnerable Persons Training, Investigation and Prosecution Trust Fund.....	[Deleted]
446 Law Enforcement Officers Training Fund.....	[Deleted]
447 Hunter Education and Training Program Fund.....	[Deleted]
448 Law Enforcement Officers and Fire Fighters	



449           Death Benefits Trust Fund.....[Deleted]

450 Law Enforcement Officers and Fire Fighters

451           Disability Benefits Trust Fund.....[Deleted]

452 State Prosecutor Compensation Fund for the purpose

453           of providing additional compensation for district

454           attorneys and their legal assistants.....[Deleted]

455 Crisis Intervention Mental Health Fund.....[Deleted]

456 Intervention Court Fund.....[Deleted]

457 Capital Defense Counsel Fund.....[Deleted]

458 Indigent Appeals Fund.....[Deleted]

459 Capital Post-Conviction Counsel Fund.....[Deleted]

460 Victims of Domestic Violence Fund.....[Deleted]

461 Public Defenders Education Fund.....[Deleted]

462 Domestic Violence Training Fund.....[Deleted]

463 Attorney General's Cyber Crime Unit.....[Deleted]

464           GENERAL FUND.....\$   89.00

465           (4) [Deleted]

466           (5) **Speeding, reckless and careless driving violations.** In

467 addition to any assessment imposed under subsection (1) or (2) of

468 this section, there shall be imposed and collected the following

469 state assessment from each person upon whom a court imposes a fine

470 or other penalty for driving a vehicle on a road or highway:

471           (a) At a speed that exceeds the posted speed limit by

472 at least ten (10) miles per hour but not more than twenty (20)

473 miles per hour.....\$10.00



474 (b) At a speed that exceeds the posted speed limit by  
475 at least twenty (20) miles per hour but not more than thirty (30)  
476 miles per hour.....\$20.00

477 (c) At a speed that exceeds the posted speed limit by  
478 thirty (30) miles per hour or more.....\$30.00

479 (d) In violation of Section 63-3-1201, which is the  
480 offense of reckless driving.....\$10.00

481 (e) In violation of Section 63-3-1213, which is the  
482 offense of careless driving.....\$10.00

483 All assessments collected under this subsection shall be  
484 deposited into the State General Fund.

485 (6) **Other misdemeanors.** In addition to any monetary  
486 penalties and any other penalties imposed by law, there shall be  
487 imposed and collected the following state assessment from each  
488 person upon whom a court imposes a fine or other penalty for any  
489 misdemeanor violation not specified in subsection (1), (2) or (3)  
490 of this section, except offenses relating to vehicular parking or  
491 registration:

492 FUND	AMOUNT
493 Crime Victims' Compensation Fund.....	[Deleted]
494 State Court Education Fund.....	[Deleted]
495 State Prosecutor Education Fund.....	[Deleted]
496 Vulnerable Persons Training, Investigation 497 and Prosecution Trust Fund.....	[Deleted]
498 Child Support Prosecution Trust Fund.....	[Deleted]



499 Law Enforcement Officers Training Fund..... [Deleted]  
500 Capital Defense Counsel Fund..... [Deleted]  
501 Indigent Appeals Fund..... [Deleted]  
502 Capital Post-Conviction Counsel Fund..... [Deleted]  
503 Victims of Domestic Violence Fund..... [Deleted]  
504 State Crime Stoppers Fund..... [Deleted]  
505 Law Enforcement Officers and Fire Fighters  
506       Death Benefits Trust Fund..... [Deleted]  
507 Law Enforcement Officers and Fire Fighters  
508       Disability Benefits Trust Fund..... [Deleted]  
509 State Prosecutor Compensation Fund for the purpose  
510       of providing additional compensation for  
511       district attorneys and their legal assistants..... [Deleted]  
512 Crisis Intervention Mental Health Fund..... [Deleted]  
513 Intervention Court Fund..... [Deleted]  
514 Judicial Performance Fund..... [Deleted]  
515 Statewide Victims' Information and  
516       Notification System Fund..... [Deleted]  
517 Public Defenders Education Fund..... [Deleted]  
518 Domestic Violence Training Fund..... [Deleted]  
519 Attorney General's Cyber Crime Unit..... [Deleted]  
520 Information Exchange Network Fund..... [Deleted]  
521 Motorcycle Officer Training Fund..... [Deleted]  
522 Civil Legal Assistance Fund..... [Deleted]  
523 Justice Court Collections Fund..... [Deleted]



524 Municipal Court Collections Fund.....[Deleted]

525 GENERAL FUND.....\$121.75

526 (7) **Other felonies.** In addition to any monetary penalties  
527 and any other penalties imposed by law, there shall be imposed and  
528 collected the following state assessment from each person upon  
529 whom a court imposes a fine or other penalty for any felony  
530 violation not specified in subsection (1), (2) or (3) of this  
531 section:

532 FUND	AMOUNT
533 Crime Victims' Compensation Fund.....	[Deleted]
534 State Court Education Fund.....	[Deleted]
535 State Prosecutor Education Fund.....	[Deleted]
536 Vulnerable Persons Training, Investigation 537 and Prosecution Trust Fund.....	[Deleted]
538 Child Support Prosecution Trust Fund.....	[Deleted]
539 Law Enforcement Officers Training Fund.....	[Deleted]
540 Capital Defense Counsel Fund.....	[Deleted]
541 Indigent Appeals Fund.....	[Deleted]
542 Capital Post-Conviction Counsel Fund.....	[Deleted]
543 Victims of Domestic Violence Fund.....	[Deleted]
544 Criminal Justice Fund.....	[Deleted]
545 Law Enforcement Officers and Fire Fighters 546 Death Benefits Trust Fund.....	[Deleted]
547 Law Enforcement Officers and Fire Fighters 548 Disability Benefits Trust Fund.....	[Deleted]



549 State Prosecutor Compensation Fund for the purpose  
550 of providing additional compensation for  
551 district attorneys and their legal assistants.....[Deleted]  
552 Crisis Intervention Mental Health Fund.....[Deleted]  
553 Intervention Court Fund.....[Deleted]  
554 Statewide Victims' Information and  
555 Notification System Fund.....[Deleted]  
556 Public Defenders Education Fund.....[Deleted]  
557 Domestic Violence Training Fund.....[Deleted]  
558 Attorney General's Cyber Crime Unit.....[Deleted]  
559 Forensics Laboratory DNA Identification System Fund.....[Deleted]  
560 GENERAL FUND.....\$ 280.50

561 (8) **Additional assessments on certain violations:**

562 (a) **Railroad crossing violations.** In addition to any  
563 monetary penalties and any other penalties imposed by law, there  
564 shall be imposed and collected the following state assessment in  
565 addition to all other state assessments due under this section  
566 from each person upon whom a court imposes a fine or other penalty  
567 for any violation involving railroad crossings under Section  
568 37-41-55, 63-3-1007, 63-3-1009, 63-3-1011, 63-3-1013 or 77-9-249:

569 Operation Lifesaver Fund.....\$25.00

570 (b) **Drug violations.** In addition to any monetary  
571 penalties and any other penalties imposed by law, there shall be  
572 imposed and collected the following state assessment in addition  
573 to all other state assessments due under this section from each



574 person upon whom a court imposes a fine or other penalty for any  
575 violation of Section 41-29-139:

576 Drug Evidence Disposition Fund.....\$25.00  
577 Mississippi Foster Care Fund.....\$ \* \* \* 8.00

578 (c) **Motor vehicle liability insurance violations.** In  
579 addition to any monetary penalties and any other penalties imposed  
580 by law, there shall be imposed and collected the following state  
581 assessment in addition to all other state assessments due under  
582 this section from each person upon whom a court imposes a fine or  
583 other penalty for any violation of Section 63-15-4(4) or Section  
584 63-16-13(1):

585 Uninsured Motorist Identification Fund:  
586 First offense.....\$200.00  
587 Second offense.....\$300.00  
588 Third or subsequent offense.....\$400.00

589 (9) If a fine or other penalty imposed is suspended, in  
590 whole or in part, such suspension shall not affect the state  
591 assessment under this section. No state assessment imposed under  
592 the provisions of this section may be suspended or reduced by the  
593 court.

594 (10) (a) After a determination by the court of the amount  
595 due, it shall be the duty of the clerk of the court to promptly  
596 collect all state assessments imposed under the provisions of this  
597 section. The state assessments imposed under the provisions of  
598 this section may not be paid by personal check.





599           (b) It shall be the duty of the chancery clerk of each  
600 county to deposit all state assessments collected in the circuit,  
601 county and justice courts in the county on a monthly basis with  
602 the State Treasurer pursuant to appropriate procedures established  
603 by the State Auditor. The chancery clerk shall make a monthly  
604 lump-sum deposit of the total state assessments collected in the  
605 circuit, county and justice courts in the county under this  
606 section, and shall report to the Department of Finance and  
607 Administration the total number of violations under each  
608 subsection for which state assessments were collected in the  
609 circuit, county and justice courts in the county during that  
610 month.

611           (c) It shall be the duty of the municipal clerk of each  
612 municipality to deposit all the state assessments collected in the  
613 municipal court in the municipality on a monthly basis with the  
614 State Treasurer pursuant to appropriate procedures established by  
615 the State Auditor. The municipal clerk shall make a monthly  
616 lump-sum deposit of the total state assessments collected in the  
617 municipal court in the municipality under this section, and shall  
618 report to the Department of Finance and Administration the total  
619 number of violations under each subsection for which state  
620 assessments were collected in the municipal court in the  
621 municipality during that month.

622           (11) It shall be the duty of the Department of Finance and  
623 Administration to deposit on a monthly basis all state assessments



624 into the State General Fund or proper special fund in the State  
625 Treasury. The Department of Finance and Administration shall  
626 issue regulations providing for the proper allocation of these  
627 funds.

628 (12) The State Auditor shall establish by regulation  
629 procedures for refunds of state assessments, including refunds  
630 associated with assessments imposed before July 1, 1990, and  
631 refunds after appeals in which the defendant's conviction is  
632 reversed. The Auditor shall provide in the regulations for  
633 certification of eligibility for refunds and may require the  
634 defendant seeking a refund to submit a verified copy of a court  
635 order or abstract by which the defendant is entitled to a refund.  
636 All refunds of state assessments shall be made in accordance with  
637 the procedures established by the Auditor.

638 **SECTION 14.** Section 43-21-121, Mississippi Code of 1972, is  
639 amended as follows:

640 43-21-121. (1) The youth court shall appoint a guardian ad  
641 litem for the child:

642 (a) When a child has no parent, guardian or custodian;

643 (b) When the youth court cannot acquire personal  
644 jurisdiction over a parent, a guardian or a custodian;

645 (c) When the parent is a minor or a person of unsound  
646 mind;



647 (d) When the parent is indifferent to the interest of  
648 the child or if the interests of the child and the parent,  
649 considered in the context of the cause, appear to conflict;

650 (e) In every case involving an abused or neglected  
651 child which results in a judicial proceeding; or

652 (f) In any other instance where the youth court finds  
653 appointment of a guardian ad litem to be in the best interest of  
654 the child.

655 (2) The guardian ad litem shall be appointed by the court  
656 when custody is ordered or at the first judicial hearing regarding  
657 the case, whichever occurs first.

658 (3) In addition to all other duties required by law, a  
659 guardian ad litem shall have the duty to protect the interest of a  
660 child for whom he has been appointed guardian ad litem. The  
661 guardian ad litem shall investigate, make recommendations to the  
662 court or enter reports as necessary to hold paramount the child's  
663 best interest. The guardian ad litem is not an adversary party  
664 and the court shall ensure that guardians ad litem perform their  
665 duties properly and in the best interest of their wards. The  
666 guardian ad litem shall be a competent person who has no adverse  
667 interest to the minor. The court shall ensure that the guardian  
668 ad litem is adequately instructed on the proper performance of his  
669 duties.

670 (4) The court, including a county court serving as a youth  
671 court, may appoint either a suitable attorney or a suitable layman



672 as guardian ad litem. In cases where the court appoints a layman  
673 as guardian ad litem, the court shall also appoint an attorney to  
674 represent the child. From and after January 1, 1999, in order to  
675 be eligible for an appointment as a guardian ad litem, such  
676 attorney or layperson must have received child protection and  
677 juvenile justice training provided by or approved by the  
678 Mississippi Judicial College within the year immediately preceding  
679 such appointment. The Mississippi Judicial College shall  
680 determine the amount of child protection and juvenile justice  
681 training which shall be satisfactory to fulfill the requirements  
682 of this section. The Administrative Office of Courts shall  
683 maintain a roll of all attorneys and laymen eligible to be  
684 appointed as a guardian ad litem under this section and shall  
685 enforce the provisions of this subsection.

686 (5) Upon appointment of a guardian ad litem, the youth court  
687 shall continue any pending proceedings for a reasonable time to  
688 allow the guardian ad litem to familiarize himself with the  
689 matter, consult with counsel and prepare his participation in the  
690 cause. The youth court shall issue an order of assignment that  
691 grants the guardian ad litem authority to review all relevant  
692 documents concerning the minor child and to interview all parties  
693 and witnesses involved in proceedings concerning the minor child  
694 for whom the guardian ad litem is appointed.

695 (6) Upon order of the youth court, the guardian ad litem  
696 shall be paid a reasonable fee as determined by the youth court



697 judge or referee out of the county general fund as provided under  
698 Section 43-21-123. To be eligible for such fee, the guardian ad  
699 litem shall submit an accounting of the time spent in performance  
700 of his duties to the court.

701 (7) \* \* \* The court, in its sound discretion, may appoint a  
702 volunteer trained layperson to assist children subject to the  
703 provisions of this section in addition to the appointment of a  
704 guardian ad litem. If the court utilizes his or her discretion as  
705 prescribed under this subsection, a volunteer Court-Appointed  
706 Special Advocate (CASA) shall be appointed from a local CASA  
707 program \* \* \* pursuant to Sections 1 through 12 of House Bill No.  
708 1624, 2024 Regular Session.

709 \* \* \*

710 **SECTION 15.** Section 43-21-261, Mississippi Code of 1972, is  
711 amended as follows:

712 43-21-261. (1) Except as otherwise provided in this  
713 section, records involving children shall not be disclosed, other  
714 than to necessary staff or officials of the youth court, a  
715 guardian ad litem appointed to a child by the court, or a  
716 Court-Appointed Special Advocate (CASA) volunteer who may be  
717 assigned in \* \* \* a dependency, abuse \* \* \* or neglect case,  
718 except pursuant to an order of the youth court specifying the  
719 person or persons to whom the records may be disclosed, the extent  
720 of the records which may be disclosed and the purpose of the  
721 disclosure. Such court orders for disclosure shall be limited to



722 those instances in which the youth court concludes, in its  
723 discretion, that disclosure is required for the best interests of  
724 the child, the public safety, the functioning of the youth court,  
725 or to identify a person who knowingly made a false allegation of  
726 child abuse or neglect, and then only to the following persons:

727 (a) The judge of another youth court or member of  
728 another youth court staff;

729 (b) The court of the parties in a child custody or  
730 adoption cause in another court;

731 (c) A judge of any other court or members of another  
732 court staff, including the chancery court that ordered a forensic  
733 interview;

734 (d) Representatives of a public or private agency  
735 providing supervision or having custody of the child under order  
736 of the youth court;

737 (e) Any person engaged in a bona fide research purpose,  
738 provided that no information identifying the subject of the  
739 records shall be made available to the researcher unless it is  
740 absolutely essential to the research purpose and the judge gives  
741 prior written approval, and the child, through his or her  
742 representative, gives permission to release the information;

743 (f) The Mississippi Department of Employment Security,  
744 or its duly authorized representatives, for the purpose of a  
745 child's enrollment into the Job Corps Training Program as  
746 authorized by Title IV of the Comprehensive Employment Training



747 Act of 1973 (29 USCS Section 923 et seq.). However, no records,  
748 reports, investigations or information derived therefrom  
749 pertaining to child abuse or neglect shall be disclosed;

750 (g) Any person pursuant to a finding by a judge of the  
751 youth court of compelling circumstances affecting the health,  
752 safety or well-being of a child and that such disclosure is in the  
753 best interests of the child or an adult who was formerly the  
754 subject of a youth court delinquency proceeding;

755 (h) A person who was the subject of a knowingly made  
756 false allegation of child abuse or neglect which has resulted in a  
757 conviction of a perpetrator in accordance with Section 97-35-47 or  
758 which allegation was referred by the Department of Child  
759 Protection Services to a prosecutor or law enforcement official in  
760 accordance with the provisions of Section 43-21-353(4).

761 Law enforcement agencies may disclose information to the  
762 public concerning the taking of a child into custody for the  
763 commission of a delinquent act without the necessity of an order  
764 from the youth court. The information released shall not identify  
765 the child or his address unless the information involves a child  
766 convicted as an adult.

767 (2) Any records involving children which are disclosed under  
768 an order of the youth court or pursuant to the terms of this  
769 section and the contents thereof shall be kept confidential by the  
770 person or agency to whom the record is disclosed unless otherwise  
771 provided in the order. Any further disclosure of any records



772 involving children shall be made only under an order of the youth  
773 court as provided in this section.

774 (3) Upon request, the parent, guardian or custodian of the  
775 child who is the subject of a youth court cause or any attorney  
776 for such parent, guardian or custodian, shall have the right to  
777 inspect any record, report or investigation relevant to a matter  
778 to be heard by a youth court, except that the identity of the  
779 reporter shall not be released, nor the name of any other person  
780 where the person or agency making the information available finds  
781 that disclosure of the information would be likely to endanger the  
782 life or safety of such person. The attorney for the parent,  
783 guardian or custodian of the child, upon request, shall be  
784 provided a copy of any record, report or investigation relevant to  
785 a matter to be heard by a youth court, but the identity of the  
786 reporter must be redacted and the name of any other person must  
787 also be redacted if the person or agency making the information  
788 available finds that disclosure of the information would be likely  
789 to endanger the life, safety or well-being of the person. A  
790 record provided to the attorney under this section must remain in  
791 the attorney's control and the attorney may not provide copies or  
792 access to another person or entity without prior consent of a  
793 court with appropriate jurisdiction.

794 (4) Upon request, the child who is the subject of a youth  
795 court cause shall have the right to have his counsel inspect and  
796 copy any record, report or investigation which is filed with the





797 youth court or which is to be considered by the youth court at a  
798 hearing.

799 (5) (a) The youth court prosecutor or prosecutors, the  
800 county attorney, the district attorney, the youth court defender  
801 or defenders, or any attorney representing a child shall have the  
802 right to inspect and copy any law enforcement record involving  
803 children.

804 (b) The Department of Child Protection Services shall  
805 disclose to a county prosecuting attorney or district attorney any  
806 and all records resulting from an investigation into suspected  
807 child abuse or neglect when the case has been referred by the  
808 Department of Child Protection Services to the county prosecuting  
809 attorney or district attorney for criminal prosecution.

810 (c) Agency records made confidential under the  
811 provisions of this section may be disclosed to a court of  
812 competent jurisdiction.

813 (d) Records involving children shall be disclosed to  
814 the Division of Victim Compensation of the Office of the Attorney  
815 General upon the division's request without order of the youth  
816 court for purposes of determination of eligibility for victim  
817 compensation benefits.

818 (6) Information concerning an investigation into a report of  
819 child abuse or child neglect may be disclosed by the Department of  
820 Child Protection Services without order of the youth court to any  
821 attorney, physician, dentist, intern, resident, nurse,



822 psychologist, social worker, family protection worker, family  
823 protection specialist, child caregiver, minister, law enforcement  
824 officer, or a public or private school employee making that report  
825 pursuant to Section 43-21-353(1) if the reporter has a continuing  
826 professional relationship with the child and a need for such  
827 information in order to protect or treat the child.

828 (7) Information concerning an investigation into a report of  
829 child abuse or child neglect may be disclosed without further  
830 order of the youth court to any interagency child abuse task force  
831 established in any county or municipality by order of the youth  
832 court of that county or municipality.

833 (8) Names and addresses of juveniles twice adjudicated as  
834 delinquent for an act which would be a felony if committed by an  
835 adult or for the unlawful possession of a firearm shall not be  
836 held confidential and shall be made available to the public.

837 (9) Names and addresses of juveniles adjudicated as  
838 delinquent for murder, manslaughter, burglary, arson, armed  
839 robbery, aggravated assault, any sex offense as defined in Section  
840 45-33-23, for any violation of Section 41-29-139(a)(1) or for any  
841 violation of Section 63-11-30, shall not be held confidential and  
842 shall be made available to the public.

843 (10) The judges of the circuit and county courts, and  
844 presentence investigators for the circuit courts, as provided in  
845 Section 47-7-9, shall have the right to inspect any youth court



846 records of a person convicted of a crime for sentencing purposes  
847 only.

848 (11) The victim of an offense committed by a child who is  
849 the subject of a youth court cause shall have the right to be  
850 informed of the child's disposition by the youth court.

851 (12) A classification hearing officer of the State  
852 Department of Corrections, as provided in Section 47-5-103, shall  
853 have the right to inspect any youth court records, excluding abuse  
854 and neglect records, of any offender in the custody of the  
855 department who as a child or minor was a juvenile offender or was  
856 the subject of a youth court cause of action, and the State Parole  
857 Board, as provided in Section 47-7-17, shall have the right to  
858 inspect such records when the offender becomes eligible for  
859 parole.

860 (13) The youth court shall notify the Department of Public  
861 Safety of the name, and any other identifying information such  
862 department may require, of any child who is adjudicated delinquent  
863 as a result of a violation of the Uniform Controlled Substances  
864 Law.

865 (14) The Administrative Office of Courts shall have the  
866 right to inspect any youth court records in order that the number  
867 of youthful offenders, abused, neglected, truant and dependent  
868 children, as well as children in need of special care and children  
869 in need of supervision, may be tracked with specificity through



870 the youth court and adult justice system, and to utilize tracking  
871 forms for such purpose.

872 (15) Upon a request by a youth court, the Administrative  
873 Office of Courts shall disclose all information at its disposal  
874 concerning any previous youth court intakes alleging that a child  
875 was a delinquent child, child in need of supervision, child in  
876 need of special care, truant child, abused child or neglected  
877 child, as well as any previous youth court adjudications for the  
878 same and all dispositional information concerning a child who at  
879 the time of such request comes under the jurisdiction of the youth  
880 court making such request.

881 (16) The Administrative Office of Courts may, in its  
882 discretion, disclose to the Department of Public Safety any or all  
883 of the information involving children contained in the office's  
884 youth court data management system known as Mississippi Youth  
885 Court Information Delivery System or "MYCIDS."

886 (17) The youth courts of the state shall disclose to the  
887 Joint Legislative Committee on Performance Evaluation and  
888 Expenditure Review (PEER) any youth court records in order that  
889 the number of youthful offenders, abused, neglected, truant and  
890 dependent children, as well as children in need of special care  
891 and children in need of supervision, may be tracked with  
892 specificity through the youth court and adult justice system, and  
893 to utilize tracking forms for such purpose. The disclosure  
894 prescribed in this subsection shall not require a court order and



895 shall be made in sortable, electronic format where possible. The  
896 PEER Committee may seek the assistance of the Administrative  
897 Office of Courts in seeking this information. The PEER Committee  
898 shall not disclose the identities of any youth who have been  
899 adjudicated in the youth courts of the state and shall only use  
900 the disclosed information for the purpose of monitoring the  
901 effectiveness and efficiency of programs established to assist  
902 adjudicated youth, and to ascertain the incidence of adjudicated  
903 youth who become adult offenders.

904 (18) In every case where an abuse or neglect allegation has  
905 been made, the confidentiality provisions of this section shall  
906 not apply to prohibit access to a child's records by any state  
907 regulatory agency, any state or local prosecutorial agency or law  
908 enforcement agency; however, no identifying information concerning  
909 the child in question may be released to the public by such agency  
910 except as otherwise provided herein.

911 (19) In every case of child abuse or neglect, if a child's  
912 physical condition is medically labeled as medically "serious" or  
913 "critical" or a child dies, the confidentiality provisions of this  
914 section shall not apply. In such cases, the following information  
915 may be released by the Mississippi Department of Child Protection  
916 Services: the cause of the circumstances regarding the fatality  
917 or medically serious or critical physical condition; the age and  
918 gender of the child; information describing any previous reports  
919 of child abuse or neglect investigations that are pertinent to the



920 child abuse or neglect that led to the fatality or medically  
921 serious or critical physical condition; the result of any such  
922 investigations; and the services provided by and actions of the  
923 state on behalf of the child that are pertinent to the child abuse  
924 or neglect that led to the fatality or medically serious or  
925 critical physical condition.

926 (20) Any member of a foster care review board designated by  
927 the Department of Child Protection Services shall have the right  
928 to inspect youth court records relating to the abuse, neglect or  
929 child in need of supervision cases assigned to such member for  
930 review.

931 (21) Information concerning an investigation into a report  
932 of child abuse or child neglect may be disclosed without further  
933 order of the youth court in any administrative or due process  
934 hearing held, pursuant to Section 43-21-257, by the Department of  
935 Child Protection Services for individuals whose names will be  
936 placed on the central registry as substantiated perpetrators.

937 (22) The Department of Child Protection Services may  
938 disclose records involving children to the following:

939 (a) A foster home, residential child-caring agency or  
940 child-placing agency to the extent necessary to provide such care  
941 and services to a child;

942 (b) An individual, agency or organization that provides  
943 services to a child or the child's family in furtherance of the



944 child's permanency plan to the extent necessary in providing those  
945 services;

946 (c) Health and mental health care providers of a child  
947 to the extent necessary for the provider to properly treat and  
948 care for the child;

949 (d) An educational institution or educational services  
950 provider where the child is enrolled or where enrollment is  
951 anticipated to the extent necessary for the school to provide  
952 appropriate services to the child;

953 (e) Any state agency or board that administers student  
954 financial assistance programs. However, any records request under  
955 this paragraph shall be initiated by the agency or board for the  
956 purpose determining the child's eligibility for student financial  
957 assistance, and any disclosure shall be limited to the  
958 verification of the child's age during the period of time in which  
959 the child was in the department's legal custody; \* \* \*

960 (f) Any other state agency if the disclosure is  
961 necessary to the department in fulfilling its statutory  
962 responsibilities in protecting the best interests of the child;  
963 and

964 (g) A court-appointed special advocate (CASA) volunteer  
965 representing the best interests of a dependent, abused or  
966 neglected child in court pursuant to Sections 1 through 12 of  
967 House Bill No. 1624, 2024 Regular Session.



968 (23) Nothing in this section or chapter shall require youth  
969 court approval for disclosure of records involving children as  
970 defined in Section 43-21-105(u), if the disclosure is made in a  
971 criminal matter by a municipal or county prosecutor, a district  
972 attorney or statewide prosecutor, pursuant to the Mississippi  
973 Rules of Criminal Procedure and the records are disclosed under a  
974 protective order issued by the Circuit Court presiding over the  
975 criminal matter which incorporates the penalties stated in Section  
976 43-21-267.

977 **SECTION 16.** Section 37-26-11, Mississippi Code of 1972, is  
978 brought forward as follows:

979 37-26-11. (1) There is created in the State Treasury a  
980 special fund to be known as the Children's Advocacy Centers Fund,  
981 which shall be administered by the Office of the Attorney General.  
982 The purpose of the fund shall be for training forensic  
983 interviewers in child abuse and child sexual abuse cases, training  
984 law enforcement officers and prosecutors about child abuse cases,  
985 expanding the number of Children's Advocacy Centers of Mississippi  
986 to underserved areas, and other related purposes. Monies in the  
987 fund shall be expended by the Attorney General, upon appropriation  
988 by the Legislature. The fund shall be a continuing fund, not  
989 subject to fiscal-year limitations, and shall consist of:

990 (a) Monies appropriated by the Legislature for the  
991 purposes of funding the Children's Advocacy Centers of  
992 Mississippi;





993                   (b) The interest accruing to the fund;  
994                   (c) Monies received under the provisions of Section  
995 99-19-73;  
996                   (d) Monies received from the federal government;  
997                   (e) Donations; and  
998                   (f) Monies received from such other sources as may be  
999 provided by law.

1000           (2) There is created in the State Treasury a special fund to  
1001 be known as the Mississippi Foster Care Fund, which shall be  
1002 administered by the Department of Child Protection Services. The  
1003 purpose of the fund shall be for supporting the services directly  
1004 provided to foster families and foster children by programs,  
1005 persons or entities pursuant to contracts and grants that comply  
1006 with Mississippi law, and for other related purposes. Monies in  
1007 the fund shall be expended by the department, upon appropriation  
1008 by the Legislature, only for the purposes stated in this  
1009 subsection, and only in such amounts as then exist in the fund.  
1010 The fund shall be a continuing fund, not subject to fiscal-year  
1011 limitations, and shall consist of:

1012                   (a) Monies appropriated by the Legislature for the  
1013 purposes of funding the Mississippi Foster Care Fund;  
1014                   (b) The interest accruing to the fund;  
1015                   (c) Monies received under the provisions of Section  
1016 99-19-73 for the Mississippi Foster Care Fund, ninety percent  
1017 (90%) of which shall be used directly for supporting the services



1018 directly provided to foster families and foster children by  
1019 programs, persons or entities pursuant to contracts and grants  
1020 that comply with Mississippi law, and no more than ten percent  
1021 (10%) of which shall be used for administrative purposes;

1022 (d) Monies received from the federal government;

1023 (e) Donations; and

1024 (f) Monies received from such other sources as may be  
1025 provided by law.

1026 (3) From and after July 1, 2016, the expenses of the  
1027 Children's Advocacy Centers Fund Program shall be defrayed by  
1028 appropriation from the State General Fund and all user charges and  
1029 fees authorized under this section shall be deposited into the  
1030 State General Fund as authorized by law and as determined by the  
1031 State Fiscal Officer.

1032 (4) From and after July 1, 2016, no state agency shall  
1033 charge another state agency a fee, assessment, rent or other  
1034 charge for services or resources received by authority of this  
1035 section.

1036 **SECTION 17.** This act shall take effect and be in force from  
1037 and after July 1, 2024, and shall stand repealed on June 30, 2024.

