

By: Moak

To: Judiciary A;  
Appropriations

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 153

1 AN ACT TO AMEND SECTION 99-36-7, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT VICTIM ASSISTANCE COORDINATORS SHALL BE STATE  
3 EMPLOYEES; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 99-36-7, Mississippi Code of 1972, is  
6 amended as follows:

7 99-36-7. (1) (a) In addition to the full-time legal  
8 assistants to the district attorney authorized by Section 25-31-5,  
9 the district attorney in each circuit court district in this state  
10 shall, subject to the approval of and upon the order of the senior  
11 circuit court judge of the district, employ one (1) person to  
12 serve at the will and pleasure of the district attorney as a  
13 "victim assistance coordinator" who shall \* \* \* be considered to  
14 be a state employee for purposes of the state retirement plan.

15 (b) The District Attorney of the First Circuit Court  
16 District may appoint one (1) additional victim assistance  
17 coordinator subject to the approval of and upon the order of the  
18 senior circuit court judge of the district for a total of two (2)  
19 victim assistance coordinators.

20 (2) The duty of the victim assistance coordinator is to  
21 ensure that a victim, guardian of a victim, or close relative of a  
22 deceased victim is afforded the rights granted victims, guardians  
23 and relatives by Section 99-36-5. The victim assistance  
24 coordinator shall work closely with appropriate law enforcement  
25 agencies, prosecuting attorneys, the state and the judiciary in  
26 fulfilling that duty.

27           (3) The salary of the victim assistance coordinator shall  
28 not exceed the salary authorized for criminal investigators in  
29 Section 25-31-10, and shall be paid jointly by the counties  
30 comprising the circuit court district, with each county paying a  
31 pro rata share of the salary as determined by the senior circuit  
32 court judge.

33           (4) The board of supervisors of any county, with the  
34 approval of and upon the order of the senior circuit court judge  
35 of the district wherein such county lies, may, in addition to any  
36 victim assistance coordinator provided for in subsection (1) of  
37 this section, create the position of county victim assistance  
38 coordinator. The duty of the county victim assistance coordinator  
39 shall be to cooperate with local law enforcement agencies, the  
40 county attorney and the district attorney in assuring that a  
41 victim, guardian or close relative is afforded the rights granted  
42 by Section 99-36-5. Two (2) or more counties, by action of their  
43 respective boards of supervisors, with the approval of and upon  
44 the order of the senior circuit court judge of the district  
45 wherein such counties lie, may join in establishing and  
46 maintaining the position of victim assistance coordinator to serve  
47 these counties. Any municipality, by action of its governing  
48 authority, may participate in the establishment and maintenance of  
49 a county victim assistance coordinator's office located within the  
50 municipality.

51           (5) Any district attorney, county board of supervisors or  
52 governing authority of a municipality which has established or is  
53 participating in the maintenance of an office of victim assistance  
54 coordinator may apply through the Governor's Office of State and  
55 Federal Programs for a grant under the federal "Victims of Crimes  
56 Act of 1984" (Public Law 98-473) to be used in the continued  
57 operation of the victim assistance program.

58           SECTION 2. This act shall take effect and be in force from  
59 and after July 1, 2000.