SENATE BILL NO. 3013

AN ACT TO AMEND SECTION 99-39-103, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER AND QUALIFICATIONS OF THE PERSONNEL OF THE OFFICE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 99-39-103, Mississippi Code of 1972, is amended as follows:

99-39-103. There is created the Mississippi Office of Capital Post-Conviction Counsel. This office shall consist of three (3) attorneys, one (1) investigator, one (1) fiscal officer and one (1) secretary/paralegal. One of the attorneys shall serve as director of the office. The director shall be appointed by the Chief Justice of the Supreme Court with the approval of a majority of the justices voting, for a term of four (4) years, or until a successor takes office. The remaining attorneys and other staff shall be appointed by the director of the office and shall serve at the will and pleasure of the director. The director and all other attorneys in the office shall either be active members of The Mississippi Bar, or, if a member in good standing of the bar of another jurisdiction, must apply to and secure admission to The Mississippi Bar within twelve (12) months of the commencement of the person's employment by the office. The attorneys shall meet all qualifications necessary to serve as post-conviction counsel for persons under a sentence of death. The director may be removed from office by the Chief Justice upon finding that the director is not qualified under law to serve as post-conviction counsel for persons under sentences of death, has failed to
perform the duties of the office or has acted beyond the scope of
the authority granted by law for the office.

SECTION 2. This act shall take effect and be in force from
and after July 1, 2001.