

By: Representative Blackmon

To: Judiciary B

HOUSE BILL NO. 651

1 AN ACT TO AMEND SECTION 25-32-71, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE MISSISSIPPI PUBLIC DEFENDER TASK FORCE TO HIRE AN
3 ADMINISTRATIVE ASSISTANT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 25-32-71, Mississippi Code of 1972, is
6 amended as follows:

7 25-32-71. (1) There is created the Mississippi Public
8 Defender Task Force which shall be composed of eleven (11) members
9 as follows:

10 (a) The President of the Mississippi Public Defender
11 Association, or his designee;

12 (b) The President of the Mississippi Prosecutors
13 Association, or his designee;

14 (c) A representative of the Administrative Office of
15 Courts;

16 (d) A representative of the Mississippi Supreme Court;

17 (e) A representative of the Conference of Circuit
18 Judges;

19 (f) A representative of the Mississippi Attorney
20 General's Office;

21 (g) A representative of the Mississippi Association of
22 Supervisors;

23 (h) The Chairman of the Senate Judiciary Committee, or
24 his designee;

25 (i) The Chairman of the Senate Appropriations
26 Committee, or his designee;

27 (j) The Chairman of the House Judiciary En Banc
28 Committee, or his designee;

29 (k) The Chairman of the House Appropriations Committee,
30 or his designee.

31 (2) At its first meeting, the task force shall elect a
32 chairman and vice chairman from its membership and shall adopt
33 rules for transacting its business and keeping records. Members
34 of the task force shall receive a per diem in the amount provided
35 in Section 25-3-69 for each day engaged in the business of the
36 task force. Members of the task force other than the legislative
37 members shall receive reimbursement for travel expenses incurred
38 while engaged in official business of the task force in accordance
39 with Section 25-3-41 and the legislative members of the task force
40 shall receive the expense allowance provided for in Section
41 5-1-47. The task force is authorized to hire one (1)
42 administrative assistant.

43 (3) The duties of the task force shall be to:

44 (a) Make a comprehensive study of the needs by circuit
45 court districts for state-supported indigent defense counsel,
46 examining existing public defender programs. Reports shall be
47 provided to the Legislature each year at least one (1) month
48 before the convening of the regular session.

49 (b) Examine and study approaches taken by other states
50 in the implementation and costs of state-supported indigent
51 criminal cases.

52 (c) To study the relationship between presiding circuit
53 court judges and the appointment of criminal indigent defense
54 counsel.

55 (4) This section shall stand repealed on July 1, 2007.

56 **SECTION 2.** This act shall take effect and be in force from
57 and after July 1, 2005.