

By: Representative Warren

To: Judiciary A

HOUSE BILL NO. 770

1 AN ACT TO AMEND SECTION 25-32-71, MISSISSIPPI CODE OF 1972,  
2 WHICH CREATES THE MISSISSIPPI PUBLIC DEFENDER TASK FORCE, TO  
3 EXTEND THE DATE OF REPEAL ON THIS SECTION FROM JULY 1, 2007, TO  
4 JULY 1, 2009; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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, 2009.

56           **SECTION 2.** This act shall take effect and be in force from  
57 and after July 1, 2007.