

By: Representative Warren

To: Judiciary A

HOUSE BILL NO. 770
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 25-32-71, MISSISSIPPI CODE OF 1972,
2 WHICH CREATES THE MISSISSIPPI PUBLIC DEFENDER TASK FORCE, REVISE
3 THE MEMBERSHIP AND TO EXTEND THE DATE OF REPEAL ON THIS SECTION;
4 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 thirteen (13)
10 members 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) A representative of The Mississippi Bar;

25 (i) A representative of the Magnolia Bar Association;

26 (j) The Chairman of the Senate Judiciary Committee,
27 Division B, or his designee;

28 (k) The Chairman of the Senate Appropriations
29 Committee, or his designee;

30 (l) The Chairman of the House Judiciary En Banc
31 Committee, or his designee;

32 (m) The Chairman of the House Appropriations Committee,
33 or his designee.

34 (2) At its first meeting, the task force shall elect a
35 chairman and vice chairman from its membership and shall adopt
36 rules for transacting its business and keeping records. Members
37 of the task force shall receive a per diem in the amount provided
38 in Section 25-3-69 for each day engaged in the business of the
39 task force. Members of the task force other than the legislative
40 members shall receive reimbursement for travel expenses incurred
41 while engaged in official business of the task force in accordance
42 with Section 25-3-41 and the legislative members of the task force
43 shall receive the expense allowance provided for in Section
44 5-1-47.

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

46 (a) Make a comprehensive study of the needs by circuit
47 court districts for state-supported indigent defense counsel to
48 examine existing public defender programs including indigent
49 defense provided in the youth courts. Reports shall be provided
50 to the Legislature each year at least one (1) month before the
51 convening of the regular session.

52 (b) Examine and study approaches taken by other states
53 in the implementation and costs of state-supported indigent
54 criminal and delinquency cases.

55 (c) To study the relationship between presiding circuit
56 and youth court judges and the appointment of criminal and
57 delinquency indigent defense counsel.

58 (4) This section shall stand repealed on July 1, 2011.

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