Adopted COMMITTEE AMENDMENT NO 1 PROPOSED TO

House Bill No. 1696

BY: Committee

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

5	SECTION 1. The following sum, or so much thereof as may be				
6	necessary, is appropriated out of any money in the State General				
7	Fund not otherwise appropriated, for the purpose of defraying the				
8	expenses of the Office of State Public Defender of the State of				
9	Mississippi for the fiscal year beginning July 1, 2020, and ending				
LO	June 30, 2021\$ 3,026,114.00.				
L1	SECTION 2. Of the funds appropriated under the provisions of				
L2	Section 1, the following positions are authorized:				
L3	AUTHORIZED POSITIONS:				
L 4	Permanent: Full Time 25				

15	Part Time 0			
16	Time-Limited: Full Time0			
17	Part Time 0			
18	Any transfers or escalations shall be made in accordance with			
19	the terms, conditions, and procedures established by law.			
20	No general funds authorized to be expended herein shall be			
21	used to replace federal funds and/or other special funds which are			
22	being used for salaries authorized under the provisions of this			
23	act and which are withdrawn and no longer available.			
24	SECTION 3. In compliance with the "Mississippi Performance			
25	Budget and Strategic Planning Act of 1994," it is the intent of			
26	the Legislature that the funds provided herein shall be utilized			
27	in the most efficient and effective manner possible to achieve the			
28	intended mission of this agency. Based on the funding authorized,			
29	this agency shall make every effort to attain the targeted			
30	performance measures provided below:			
31	FY2021			
32	Performance Measures <u>Target</u>			
33	Capital Defense			
34	Percentage of trial cases opened less			
35	than one year 75.00			
36	Percentage Change in Running Average of			
37	Reversals due to Ineffective Assistance			
38	of Counsel -0.10			
39	Average of Reversals due to Ineffective			



40	Assistance		~
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- A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the
- 43 agency's budget request submitted to the Joint Legislative Budget
- 44 Committee for Fiscal Year 2022.
- 45 **SECTION 4.** It is the intention of the Legislature that the
- 46 Office of State Public Defender shall maintain complete accounting
- 47 and personnel records related to the expenditure of all funds
- 48 appropriated under this act and that such records shall be in the
- 49 same format and level of detail as maintained for Fiscal Year
- 50 2020. It is further the intention of the Legislature that the
- 31 agency's budget request for Fiscal Year 2022 shall be submitted to
- 52 the Joint Legislative Budget Committee in a format and level of
- 53 detail comparable to the format and level of detail provided
- 54 during the Fiscal Year 2021 budget request process.
- 55 **SECTION 5.** It is the intention of the Legislature that
- 56 whenever two (2) or more bids are received by this agency for the
- 57 purchase of commodities or equipment, and whenever all things
- 58 stated in such received bids are equal with respect to price,
- 59 quality and service, the Mississippi Industries for the Blind
- 60 shall be given preference. A similar preference shall be given to
- 61 the Mississippi Industries for the Blind whenever purchases are
- 62 made without competitive bids.
- 63 **SECTION 6.** It is the intention of the Legislature that the
- 64 funds herein appropriated shall be expended in compliance with

- 65 Section 27 104 25, Mississippi Code of 1972, that no state agency
- 66 shall incur obligations or indebtedness in excess of their
- 67 appropriation and that the responsible officers, either personally
- 68 or upon their official bonds, shall be held responsible for
- 69 actions contrary to this provision.
- 70 **SECTION 7.** Of the funds provided in Section 1, Two Hundred
- 71 Seventy eight Thousand Five Hundred Dollars (\$278,500.00) shall be
- 72 provided for the Indigent Parental Representation for the purpose
- 73 of contracting with trained and certified attorneys to represent
- 74 indigent parents or guardians in abuse, neglect or termination of
- 75 parental rights proceedings as provided under Sections 43 21 201
- 76 and 99 18 13, Mississippi Code of 1972.
- 77 **SECTION 8.** The money herein appropriated shall be paid by
- 78 the State Treasurer out of any money in the State Treasury to the
- 79 credit of the proper fund or funds as set forth in this act, upon
- 80 warrants issued by the State Fiscal Officer; and the State Fiscal
- 81 Officer shall issue his warrants upon requisitions signed by the
- 82 proper person, officer or officers, in the manner provided by law.
- 83 **SECTION 9.** This act shall take effect and be in force from
- 84 and after July 1, 2020, and shall stand repealed June 30, 2020.