

By: Representative Bain

To: Judiciary B

HOUSE BILL NO. 840

1 AN ACT TO AMEND SECTION 99-18-13, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE AUTHORITY OF THE STATE DEFENDER TO REPRESENT
3 INDIGENT PERSONS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 99-18-13, Mississippi Code of 1972, is
6 amended as follows:

7 99-18-13. (1) The State Defender is hereby empowered to pay
8 and disburse salaries, employment benefits and charges relating to
9 employment of division staff and to establish their salaries and
10 expenses of the office; to incur and pay travel expenses of staff
11 necessary for the performance of the duties of the office; to rent
12 or lease on such terms as he may think proper such office space as
13 is necessary in the City of Jackson to accommodate the staff; to
14 enter into and perform contracts and to purchase such necessary
15 office supplies and equipment as may be needed for the proper
16 administration of said offices within the funds appropriated for
17 such purpose; and to incur and pay such other expenses as are
18 appropriate and customary to the operation of the office.



19 (2) The State Defender may represent indigent persons in
20 legal proceedings where the person has a constitutional right to
21 appointed counsel and provide representation to parents or
22 guardians who have been determined by the youth court judge to be
23 indigent and in need of representation in an abuse, neglect or
24 termination of parental rights proceeding or appeal therefrom.
25 The State Defender shall promulgate, implement and enforce
26 standards that define how effective indigent defense services
27 should be provided in all such cases, subject to the approval of
28 the Mississippi Supreme Court.

29 (3) Representation may be provided by staff or contract
30 counsel including, but not limited to, by contract with legal
31 services organizations and/or county public defender programs.

32 **SECTION 2.** This act shall take effect and be in force from
33 and after July 1, 2023.

