

By: Senator(s) Wiggins, Simmons (12th)

To: Judiciary, Division B;
Appropriations

SENATE BILL NO. 2237

1 AN ACT TO AMEND SECTION 99-15-17, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE STATUTORY CAP FOR THE AMOUNT OF COMPENSATION
3 AVAILABLE FOR APPOINTED COUNSEL FOR INDIGENT DEFENDANTS; AND FOR
4 RELATED PURPOSES.

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

6 **SECTION 1.** Section 99-15-17, Mississippi Code of 1972, is
7 amended as follows:

8 99-15-17. The compensation for counsel for indigents
9 appointed as provided in Section 99-15-15, shall be approved and
10 allowed by the appropriate judge and in any one (1) case may not
11 exceed * * * Five Thousand Dollars (\$5,000.00) for representation
12 in circuit court whether on appeal or originating in said court.
13 Provided, however, if said case is not appealed to or does not
14 originate in a court of record, the maximum compensation shall not
15 exceed * * * One Thousand Dollars (\$1,000.00) for any one (1)
16 case, the amount of such compensation to be approved by a judge of
17 the chancery court, county court or circuit court in the county
18 where the case arises. Provided, however, in a capital case two
19 (2) attorneys may be appointed, and the compensation may not



20 exceed * * * Fifteen Thousand Dollars (\$15,000.00) per case. If
21 the case is appealed to the state supreme court by counsel
22 appointed by the judge, the allowable fee for services on appeal
23 shall not exceed * * * Five Thousand Dollars (\$5,000.00) per case.
24 In addition, the judge shall allow reimbursement of actual
25 expenses. The attorney or attorneys so appointed shall itemize
26 the time spent in defending said indigents together with an
27 itemized statement of expenses of such defense, and shall present
28 same to the appropriate judge. The fees and expenses as allowed
29 by the appropriate judge shall be paid by the county treasurer out
30 of the general fund of the county in which the prosecution was
31 commenced.

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

