

By: Representative Horan

To: Judiciary B

HOUSE BILL NO. 1089

1 AN ACT TO AMEND SECTION 99-15-17, MISSISSIPPI CODE OF 1972,
2 TO INCREASE COMPENSATION FOR COUNSEL APPOINTED TO INDIGENTS; AND
3 FOR RELATED PURPOSES.

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

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

7 99-15-17. (1) The compensation for counsel for indigents
8 appointed as provided in Section 99-15-15, shall be approved and
9 allowed by the appropriate judge and in any one (1) case may not
10 exceed * * * Five Thousand Dollars (\$5,000.00) for representation
11 in circuit court whether on appeal or originating in said court.
12 Provided, however, if said case is not appealed to or does not
13 originate in a court of record, the maximum compensation shall not
14 exceed * * * One Thousand Dollars (\$1,000.00) for any one (1)
15 case, the amount of such compensation to be approved by a judge of
16 the chancery court, county court or circuit court in the county
17 where the case arises. Provided, however, in a capital case two
18 (2) attorneys may be appointed, and the compensation may not



19 exceed * * * Ten Thousand Dollars (\$10,000.00) per case. If the
20 case is appealed to the state supreme court by counsel appointed
21 by the judge, the allowable fee for services on appeal shall not
22 exceed * * * Five Thousand Dollars (\$5,000.00) per case. In
23 addition, the judge shall allow reimbursement of actual expenses.
24 The attorney or attorneys so appointed shall itemize the time
25 spent in defending said indigents together with an itemized
26 statement of expenses of such defense, and shall present same to
27 the appropriate judge. The fees and expenses as allowed by the
28 appropriate judge shall be paid by the county treasurer out of the
29 general fund of the county in which the prosecution was commenced.

30 (2) The provisions of this section shall stand repealed on
31 July 1, 2027.

32 **SECTION 2.** This act shall take effect and be in force from
33 and after July 1, 2024.

