

By: Representative Owen

To: Judiciary B

HOUSE BILL NO. 1457

1 AN ACT TO AMEND SECTION 99-18-13, MISSISSIPPI CODE OF 1972,  
 2 TO AUTHORIZE THE STATE DEFENDER TO PROVIDE LEGAL REPRESENTATION TO  
 3 CERTAIN PERSONS WHERE A CONSTITUTIONAL RIGHT TO COUNSEL EXISTS; TO  
 4 DIRECT THE STATE DEFENDER TO PROMULGATE, IMPLEMENT AND ENFORCE  
 5 STANDARDS FOR SUCH COUNSEL; TO PROVIDE THAT SUCH STANDARDS SHALL  
 6 BE SUBJECT TO THE APPROVAL OF THE SUPREME COURT; AND FOR RELATED  
 7 PURPOSES.

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

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

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



21 such purpose; and to incur and pay such other expenses as are  
22 appropriate and customary to the operation of the office.

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

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

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

