

By: Moak

To: Judiciary A;
Appropriations

HOUSE BILL NO. 153
(As Passed the House)

1 AN ACT TO AMEND SECTION 99-36-7, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT VICTIM ASSISTANCE COORDINATORS SHALL BE STATE
3 EMPLOYEES; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 99-36-7, Mississippi Code of 1972, is
6 amended as follows:

7 99-36-7. (1) (a) In addition to the full-time legal
8 assistants to the district attorney authorized by Section 25-31-5,
9 the district attorney in each circuit court district in this state
10 shall, subject to the approval of and upon the order of the senior
11 circuit court judge of the district, employ one (1) person to
12 serve at the will and pleasure of the district attorney as a
13 "victim assistance coordinator" who shall * * * be considered to
14 be a state employee for purposes of the state retirement plan.

15 (b) The District Attorney of the First Circuit Court
16 District may appoint one (1) additional victim assistance
17 coordinator subject to the approval of and upon the order of the
18 senior circuit court judge of the district for a total of two (2)
19 victim assistance coordinators.

20 (2) The duty of the victim assistance coordinator is to
21 ensure that a victim, guardian of a victim, or close relative of a
22 deceased victim is afforded the rights granted victims, guardians
23 and relatives by Section 99-36-5. The victim assistance
24 coordinator shall work closely with appropriate law enforcement
25 agencies, prosecuting attorneys, the state and the judiciary in
26 fulfilling that duty.

27 (3) The salary of the victim assistance coordinator shall
28 not exceed the salary authorized for criminal investigators in
29 Section 25-31-10, and shall be paid jointly by the counties
30 comprising the circuit court district, with each county paying a
31 pro rata share of the salary as determined by the senior circuit
32 court judge.

33 (4) The board of supervisors of any county, with the
34 approval of and upon the order of the senior circuit court judge
35 of the district wherein such county lies, may, in addition to any
36 victim assistance coordinator provided for in subsection (1) of
37 this section, create the position of county victim assistance
38 coordinator. The duty of the county victim assistance coordinator
39 shall be to cooperate with local law enforcement agencies, the
40 county attorney and the district attorney in assuring that a
41 victim, guardian or close relative is afforded the rights granted
42 by Section 99-36-5. Two (2) or more counties, by action of their
43 respective boards of supervisors, with the approval of and upon
44 the order of the senior circuit court judge of the district
45 wherein such counties lie, may join in establishing and
46 maintaining the position of victim assistance coordinator to serve
47 these counties. Any municipality, by action of its governing
48 authority, may participate in the establishment and maintenance of
49 a county victim assistance coordinator's office located within the
50 municipality.

51 (5) Any district attorney, county board of supervisors or
52 governing authority of a municipality which has established or is
53 participating in the maintenance of an office of victim assistance
54 coordinator may apply through the Governor's Office of State and
55 Federal Programs for a grant under the federal "Victims of Crimes
56 Act of 1984" (Public Law 98-473) to be used in the continued
57 operation of the victim assistance program.

58 SECTION 2. This act shall take effect and be in force from
59 and after July 1, 2000.