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SENATE BILL 82

47TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2006

INTRODUCED BY

Mary Jane M. Garcia

FOR THE COURTS, CORRECTIONS AND JUSTICE COMMITTEE

AN ACT

RELATING TO THE PUBLIC DEFENDER; PROVIDING COMPENSATION RATES
FOR CONTRACT ATTORNEY REPRESENTATION IN DEATH PENALTY CASES;
MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 31-15-1 NMSA 1978 (being Laws 1973,
Chapter 156, Section 1) is amended to read:

"31-15-1. SHORT TITLE.--~~[This act]~~ Chapter 31, Article 15
NMSA 1978 may be cited as the "Public Defender Act"."

Section 2. A new section of the Public Defender Act is
enacted to read:

"[NEW MATERIAL] CONTRACT ATTORNEY COMPENSATION IN DEATH
PENALTY CASES.--A contract negotiated by the department with an
attorney for representation in a death penalty case shall
provide for attorney fee rates on the same basis as the

.159569.1

underscoring material = new
[bracketed material] = delete

1 attorney fee schedule set by the risk management division of
2 the general services department."

3 Section 3. APPROPRIATION.--Eight hundred thousand dollars
4 (\$800,000) is appropriated from the general fund to the public
5 defender department for expenditure in fiscal year 2007 to
6 contract with attorneys for the representation of defendants in
7 death penalty cases. Any unexpended or unencumbered balance
8 remaining at the end of fiscal year 2007 shall revert to the
9 general fund.

10 Section 4. EFFECTIVE DATE.--The effective date of the
11 provisions of this act is July 1, 2006.

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