

House Bill 586

By: Representatives Ralston of the 7th and Fleming of the 117th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 17-12-127 of the Official Code of Georgia Annotated, relating to
2 representation and appointment of alternative attorneys, so as to change matters relating to
3 appointment of counsel and attorneys' fees in capital cases; to provide for related matters;
4 to repeal conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Code Section 17-12-127 of the Official Code of Georgia Annotated, relating to
8 representation and appointment of alternative attorneys, is amended by revising subsection
9 (b) as follows:

10 "(b) If for any reason the office is unable to defend any indigent person accused of a capital
11 felony for which the death penalty is being sought, the presiding judge of the superior court
12 in which the case is pending shall appoint ~~an attorney or attorneys~~ counsel to represent the
13 defendant. ~~Counsel appointed pursuant to this subsection shall be paid~~ A maximum of two
14 attorneys shall be paid by the council at an hourly rate established by the council with state
15 funds appropriated to the council for use by the office. The council with the assistance of
16 the office shall establish guidelines for attorney's fees and expense requests. A county
17 governing authority may provide supplemental compensation to appointed counsel. The
18 presiding judge may appoint additional attorneys to represent the defendant; provided,
19 however, that such attorney or attorneys shall be paid by the county governing authority
20 with county funds at a rate established by the presiding judge."

21 **SECTION 2.**

22 All laws and parts of laws in conflict with this Act are repealed.