

# 2021 SESSION

INTRODUCED

20100539D

## HOUSE BILL NO. 869

Offered January 8, 2020

Prefiled January 7, 2020

A *BILL to amend and reenact § 19.2-163.01:1 of the Code of Virginia, relating to supplementing compensation of public defender.*

Patrons—Bourne, Carr, Jenkins and Rasoul

Referred to Committee for Courts of Justice

### Be it enacted by the General Assembly of Virginia:

1. That § 19.2-163.01:1 of the Code of Virginia is amended and reenacted as follows:

§ 19.2-163.01:1. Supplementing compensation of public defender.

A. The governing body of any county or city may supplement the compensation of the public defender or any of his deputies or employees above the compensation fixed by the executive director, in such amounts as it may deem expedient. Such additional compensation shall be wholly payable from the funds of any such county or city.

B. *The governing body of any county or city that elects to supplement the compensation of the attorney for the Commonwealth, or any of their deputies or employees, above the salary of any such officer, deputy, or employee, pursuant to § 15.2-1605.1, shall supplement the compensation of the public defender, or any of his deputies or employees, in the same amount as the supplement to the compensation of the attorney for the Commonwealth, or any of his deputies or employees. Such additional compensation shall be wholly payable from the funds of any such county or city.*

C. Due to the privileged and protected nature of the attorney-client relationship and the statutory scope of representation provided in §§ 19.2-157 and 19.2-163.3, no county or city providing a supplement to compensation under this section shall place any condition or requirement upon the receipt of such funds.

~~C.~~ D. Funds provided by any county or city under this section shall be paid directly to the employees with notice to the Indigent Defense Commission of any amount so provided.

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