

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 1005** HLS 26RS 1364

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 20, 2026	11:13 AM	Author: MUSCARELLO
Dept./Agy.: Office of the State Public Defender		Analyst: Daniel Druilhet
Subject: Office of the State Public Defender		

INDIGENT DEFENSE

OR NO IMPACT See Note

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Provides relative to the office of the state public defender

Current law provides for the Office of the State Public Defender (OSPD); requires the public defender board to be appointed by the governor, subject to approval by a majority of the Louisiana Public Defender Oversight Board (LPDOB) and Senate Confirmation, for a term of two years; provides for the setting of compensation for each district defender, the continuation of the salaries and benefits in place on 1/01/07 for each chief defender, as well as a prohibition on salary decreases; requires all appointments by a district defender to deliver public defender services in each district on a successive, rotational basis by case-type certification; provides for dispositions of fines and forfeitures; requires the prosecuting attorney to pay 25% of funds collected to the Indigent Defenders Program of the court where judgment was rendered. Proposed law changes reference of the "Louisiana Public Defender Board" and "indigent defender program" to "Office of the State Public Defender" and "district public defender"; removes the condition that the state public defender's appointment be subject to approval by a majority of the LPDOB; repeals current law and provides that a district defender who contracts with the OSPD for delivery of legal services is an independent contractor and not an office employee; requires deviation from the board's list to be permitted only to comply with current law and in exceptional circumstances upon approval of the office on the district defender's recommendation.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on governmental expenditures as a result of this measure. The proposed law updates outdated language throughout the current law and clarifies the nature of services provided between district public defender offices and district defenders.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
Deputy Fiscal Officer