
SENATE FLOOR AMENDMENTS

2024 Second Extraordinary Session

Amendments proposed by Senator Reese to Engrossed Senate Bill No. 8 by Senator Reese

AMENDMENT NO. 1

1 On page 1, line 2, after "146(A), (B)" delete "(1)" and insert ","

AMENDMENT NO. 2

2 On page 1, line 10, after "185.2(1)" delete "through (7)," and insert ", (4), (7), (8), and (9),"

AMENDMENT NO. 3

3 On page 1, line 13, after "186.2(1)" delete "through (7)," and insert ", (6), (7), and (8),"

AMENDMENT NO. 4

4 On page 1, line 15, after "15:164(B)(4)" insert ", 185.2(10), and 186.2(9),"

AMENDMENT NO. 5

5 On page 2, at the end of line 2, after "office;" insert the following:

6 "to provide for the creation of the Louisiana Public Defender Oversight Board; to
7 provide for duties and responsibilities of the board;"

AMENDMENT NO. 6

8 On page 2, line 16, after "146(A), (B)" delete "(1)" and insert ","

AMENDMENT NO. 7

9 On page 2, line 24, after "185.2(1)" delete "through (7)," and insert ", (4), (7), (8), and (9),"

AMENDMENT NO. 8

10 On page 2, line 26, after "186.2(1)" delete "through (7)," and insert ", (6), (7), and (8),"

AMENDMENT NO. 9

11 On page 2, line 28, after "15:164(B)(4)" insert ", 185.2(10), and 186.2(9) are"

AMENDMENT NO. 10

12 On page 2, at the beginning of line 29, before "hereby enacted" delete "is"

AMENDMENT NO. 11

13 On page 5, line 10, after "**governor**" insert "**, subject to approval of a majority of the
14 board and Senate confirmation,**"

AMENDMENT NO. 12

15 On page 6, delete lines 11 through 14, and insert the following:

16 "**B.(1) The Louisiana Public Defender Oversight Board is hereby created
17 and established to provide supervision and oversight to the office of the state
18 public defender.** The board shall consist of ~~eleven~~ **nine** members.

1 (2) Persons appointed to the board shall have ~~significant experience in the~~
 2 ~~defense of criminal proceedings or shall have demonstrated a strong commitment to~~
 3 ~~quality representation in indigent defense matters. No person shall be appointed to~~
 4 ~~the board who has received compensation to be an elected judge, elected official,~~
 5 ~~judicial officer, prosecutor, law enforcement official, indigent defense provider, or~~
 6 ~~employees of all such persons, within a two-year period prior to appointment. No~~
 7 ~~active part-time, full-time, contract or court-appointed indigent defense provider, or~~
 8 ~~active employees of such persons, may be appointed to serve on the board as a voting~~
 9 ~~member. No person having an official responsibility to the board, administratively~~
 10 ~~or financially, or their employee shall be appointed to the board during their term of~~
 11 ~~office. The majority of board members shall be current members of the Louisiana~~
 12 ~~State Bar Association. Representatives of the client community shall not be~~
 13 ~~prohibited from serving as voting members of the board **been admitted to the**~~
 14 ~~**practice of law in this state for at least eight years or have been a judge in this**~~
 15 ~~**state.**~~

16 (3) The members shall be selected as follows:
 17 (a) The governor shall appoint ~~five~~ **four** members, ~~one from each appellate~~
 18 ~~court district, and shall designate the chairman.~~
 19 (b) ~~The five members~~ **One member** shall be appointed from a list of three
 20 nominees submitted to the governor by a majority of the district public defenders
 21 providing public defender services in ~~each appellate district~~ **this state.**
 22 (c) The ~~chief justice of the~~ Supreme Court of Louisiana shall **by majority**
 23 **vote** appoint ~~four~~ **two** members, one member shall be a juvenile justice advocate;
 24 **and** one member shall be a retired judge ~~with criminal law experience; and two~~
 25 ~~members shall be at large.~~
 26 (d) The president of the Senate and the speaker of the House of
 27 Representatives shall each appoint one member.
 28 (e) All appointments to the board shall be subject to confirmation by the
 29 Senate.
 30 (4) A vacancy on the board shall be filled in the same manner as the original
 31 appointment.
 32 (5) Members of the board shall serve ~~staggered~~ terms of four years
 33 **concurrent with that of the governor appointing him.**"

34 AMENDMENT NO. 13

35 On page 15, delete line 27, and insert the following:

36 "(2) Develop ~~and~~ , present for the board's approval, **and implement** a
 37 strategic plan"

38 AMENDMENT NO. 14

39 On page 16, delete line 22, and insert the following:

40 "(8) Prepare and submit to the board an annual report of the indigent
 41 defender"

42 AMENDMENT NO. 15

43 On page 16, delete line 29, and insert the following:

44 "(11) Assist the board in the adoption of rules as provided for in R.S."

45 AMENDMENT NO. 16

46 On page 17, delete line 4, and insert the following:

47 "(13) Assist the board in establishing the standards and guidelines,"

1 AMENDMENT NO. 17

2 On page 18, line 3, after "adopted by the" insert "board." and delete line 4

3 AMENDMENT NO. 18

4 On page 18, delete lines 6 and 7, and insert the following:

5 "adopted by rule by the board."

6 AMENDMENT NO. 19

7 On page 18, delete line 12, and insert the following:

8 "the board; **and** state public defender, ~~and regional director, where applicable,~~ for"

9 AMENDMENT NO. 20

10 On page 18, delete lines 18 and 19, and insert the following:

11 "the district for submission to the board for board approval. The ~~regional director,~~
12 ~~where applicable, or the board shall consider any delivery model in"~~

13 AMENDMENT NO. 21

14 On page 18, delete line 22, and insert the following:

15 "services in accordance with **applicable** rules adopted by the board and as required"

16 AMENDMENT NO. 22

17 On page 19, delete line 2, and insert the following:

18 "~~director, where applicable, the state public defender, and the board on any matter"~~

19 AMENDMENT NO. 23

20 On page 19, line 10, after "**office** shall" change "establish" to "**set**"

21 AMENDMENT NO. 24

22 On page 19, line 11, after "defender" and before the semi-colon ";" insert the following:

23 "**according to a compensation plan established by the board**"

24 AMENDMENT NO. 25

25 On page 19, at the end of line 21, after "15:162" delete "; or" and add a period "."

26 AMENDMENT NO. 26

27 On page 19, at the end of line 23, after "districts" delete "; or" and add a period "."

28 AMENDMENT NO. 27

29 On page 20, line 27, after "(2)", delete the remainder of the line, delete lines 28 and 29, and
30 on page 21, delete line 1 through 3

31 AMENDMENT NO. 28

32 On page 21, at the beginning of line 4, delete "(3)"

1 AMENDMENT NO. 29

2 On page 21, line 8, after "**Defender**" insert "**Oversight**"

3 AMENDMENT NO. 30

4 On page 23, line 2, after "district" delete "; or" and add a period "."

5 AMENDMENT NO. 31

6 On page 23, line 7, after "**office**" delete "; or" and add a period "."

7 AMENDMENT NO. 32

8 On page 26, line 9, after "fixed by the" delete "**office**" and insert "board"

9 AMENDMENT NO. 33

10 On page 26, line 10, after "rule by the" delete "**office**" and insert "board"

11 AMENDMENT NO. 34

12 On page 26, at the end of line 24, after "unacceptable, the" delete "**office**" and insert "board"

13 AMENDMENT NO. 35

14 On page 30, line 3, after "defendant" delete the remainder of the line and at the beginning
15 of line 4, delete "**office** shall adopt rules"

16 AMENDMENT NO. 36

17 On page 31, line 23, change "**office**" to "board"

18 AMENDMENT NO. 37

19 On page 31, line 24, change "**office**" to "board"

20 AMENDMENT NO. 38

21 On page 31, line 25, after "committee" delete the remainder of the line and delete line 26 and
22 insert "made up of five board members."

23 AMENDMENT NO. 39

24 On page 31, line 27, change "**office**" to "board"

25 AMENDMENT NO. 40

26 On page 32, delete line 6, and insert "the board shall take action in a public meeting
27 conducted by the board."

28 AMENDMENT NO. 41

29 On page 32, line 7, change "**office**" to "board"

30 AMENDMENT NO. 42

31 On page 32, line 10, change "**office**" to "board"

1 AMENDMENT NO. 43

2 On page 32, line 13, change "**office**" to "board"

3 AMENDMENT NO. 44

4 On page 32, line 14, change "**office**" to "board"

5 AMENDMENT NO. 45

6 On page 32, line 17, change "**office**" to "board"

7 AMENDMENT NO. 46

8 On page 32, line 19, change "**office**" to "board"

9 AMENDMENT NO. 47

10 On page 32, line 21, change "**office**" to "board"

11 AMENDMENT NO. 48

12 On page 32, line 22, change "**office**" to "board"

13 AMENDMENT NO. 49

14 On page 32, line 23, change "**office**" to "board"

15 AMENDMENT NO. 50

16 On page 32, line 24, change "**office**" to "board"

17 AMENDMENT NO. 51

18 On page 32, line 27, change "**office's**" to "board's"

19 AMENDMENT NO. 52

20 On page 33, line 8, change "**office**" to "board"

21 AMENDMENT NO. 53

22 On page 35, delete lines 16 through 29 and on page 36, delete lines 1 through 17 and insert:

23 §185.2. Definitions

24 As used in this Part, the following words shall have the following meanings:

25 (1) "Board" means the Louisiana Public Defender **Oversight** Board, ~~or any~~
26 ~~successor to that board, which is authorized to regulate the providing of legal~~
27 ~~services to indigent persons in criminal proceedings in which the right to counsel~~
28 ~~attaches under the United States and Louisiana constitutions. The board is also~~
29 ~~authorized to regulate the providing of representation to indigent parents as~~
30 ~~authorized by this Part.~~

31 * * *

32 (4) "District public defender", "chief indigent defender", or "chief public
33 defender" means an attorney employed by or under contract with the ~~board~~ **office**
34 supervise service providers and enforce standards and guidelines within a judicial
35 district or multiple judicial districts.

36 * * *

37 (7) **"Office" means the office of the state public defender as created by**
38 **R.S. 15:146.**

1 (6) "Office of juvenile justice" ~~and "the office"~~ means the Department of
2 Public Safety and Corrections, youth services, office of juvenile justice.

3 (7) **"Office" means the office of the state public defender as created by**
4 **R.S. 15:146.**

5 (8) "Public defender" or "indigent defender" means an attorney ~~employed by~~
6 ~~or~~ under contract with the ~~board office~~, the district public defender, or a nonprofit
7 organization contracting with the ~~board office~~ or the district public defender to
8 provide representation as required by the provisions of the Louisiana Children's
9 Code.

10 (8)(9) "Safe Return Program" or "the program" means the Safe Return
11 Representation Program administered pursuant to the Part."

12 AMENDMENT NO. 63

13 On page 42, line 19, before "**office**" insert "**board and the**"

14 AMENDMENT NO. 64

15 On page 43, line 8, change "**office**" to "board"

16 AMENDMENT NO. 65

17 On page 43, line 14, change "**office**" to "board"

18 AMENDMENT NO. 66

19 On page 43, delete line 26, and insert:

20 "and guidelines adopted by the board pursuant to this Section. The board"

21 AMENDMENT NO. 67

22 On page 44, line 1, after "duties" delete the remainder of the line and insert "~~of the board~~
23 provided for by this Section"

24 AMENDMENT NO. 68

25 On page 44, line 2, after "R.S. 15:147" and before the "." insert "**or as otherwise provided**
26 **by law**"

27 AMENDMENT NO. 69

28 On page 44, line 5, change "**office**" to "board"