

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

INDIGENT DEFENSE. Increases the special cost assessed in criminal cases in each judicial district court for the district indigent defender fund

DIGEST

Present law provides that every court of original criminal jurisdiction, except in the town of Jonesville, in the city of Plaquemine, and except in mayor's courts in municipalities having a population of less than 5,000, must remit special costs to the district indigent defender fund for violations under state statute and under parish or municipal ordinances, except in the case of a parking violation.

Present law provides that the special costs assessment shall be \$35 in all criminal cases where the defendant has been convicted, has plead guilty or nolo contendere, or has forfeited bond. Provides for the use and administration of such funds by the district public defender.

Proposed law increases the special cost from \$35 to \$45, and provides that the increased cost shall expire on Aug. 1, 2016. Thereafter, the cost shall be \$35 as provided for in present law.

Proposed law authorizes mayors' courts which are required to assess the court cost of \$35 on the effective date of the proposed law to continue to assess such amount as cost of court.

Proposed law requires the La. Public Defender Board to provide a report to the legislature prior to the 2016 Regular Session which details how the funds provided for in proposed law were utilized.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 15:168(B)(1))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

- 1. Decreased proposed law court cost amount from \$55 to \$50.
- 2. Added provision requiring the increased cost to expire on Aug. 1, 2014.

House Floor Amendments to the engrossed bill.

- 1. Added provision which provides that proposed law is effective upon signature of governor or lapse of time for gubernatorial action.
- 2. Decreased the proposed law court cost amount from \$50 to \$45.
- 3. Added provision which requires the La. Public Defender Board to provide a report to the legislature which details how the proposed law funds were utilized.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the reengrossed bill

1. Removes population limitation on exception for mayor's courts.
2. Changes sunset date on proposed law increase in assessment from August 1, 2014, to August 1, 2016.

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the reengrossed bill

1. Removes a provision making present law applicable to mayors' courts in municipalities having a population of 5,000 or more.
2. Adds a provision authorizing mayors' courts which are required to assess the court cost of \$35 on the effective date of the proposed law to continue to assess such amount as cost of court.