SLS 16RS-716

ORIGINAL

2016 Regular Session

SENATE BILL NO. 374

BY SENATORS LAMBERT AND CLAITOR

INDIGENT DEFENSE. Provides relative to the Louisiana Public Defender Fund. (8/1/16)

1	AN ACT
2	To amend and reenact R.S. 15:167(B), relative to the Louisiana Public Defender Fund; to
3	provide for an annual appropriation to the fund by the legislature for certain
4	purposes; to provide relative to administration of the fund; and to provide for related
5	matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 15:167(B) is hereby amended and reenacted to read as follows:
8	§167. Louisiana Public Defender Fund
9	* * *
10	B.(1) The fund shall be comprised of all monies appropriated, donated, or
11	otherwise made available to provide funding for the provisions of the Louisiana
12	Public Defender Act. All of such monies required to be deposited in the state
13	treasury in accordance with Article VII, Section 9(A) of the Constitution of
14	Louisiana shall be deposited in the fund after first meeting the requirements of
15	Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond
16	Security and Redemption Fund.
17	(2) The legislature annually shall appropriate sufficient funds for the

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1	purposes of the Louisiana Public Defender Act and the program, which shall be
2	deposited in the fund in accordance with Paragraph (1) of this Subsection.
3	Funds appropriated pursuant to this Paragraph shall be distributed by the
4	board among the district public defenders proportionally based upon the
5	number of arrests annually in each judicial district. Not more than fifteen
6	percent of these funds may be used to defray any fees and expenses associated
7	with the administration of the fund as provided for in this Section.
8	* * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement, Jr.

SB 374 Original

DIGEST 2016 Regular Session

Lambert

Present law provides relative to the La. Public Defender Fund in the state treasury.

<u>Present law</u> provides that the fund is to be comprised of all monies appropriated, donated, or otherwise made available to provide funding for the provisions of <u>present law</u> (La. Public Defender Act).

<u>Proposed law</u> retains <u>present law</u> and adds that the legislature annually is to appropriate sufficient funds for the purposes of <u>present law</u> (La. Public Defender Act). <u>Proposed law</u> further provides that funds appropriated pursuant to <u>proposed law</u> are to be distributed by the board among the district public defenders proportionally based upon the number of arrests annually in each judicial district.

<u>Present law</u> provides that monies in the fund are to be appropriated and used solely and exclusively to provide for the implementation of <u>present law</u> (La. Public Defender Act).

<u>Proposed law</u> retains <u>present law</u> and adds that not more than 15% of funds appropriated pursuant to <u>proposed law</u> may be used to defray any fees and expenses associated with the administration of the fund.

Effective August 1, 2016.

(Amends R.S. 15:167(B))