AN ACT

To amend and reenact R.S. 15:167(E), relative to the Louisiana Public Defender Board; to provide relative to the Louisiana Public Defender Fund; to provide relative to the disbursement of certain monies by the Louisiana Public Defender Board to district defender offices; to reserve a certain portion of the Louisiana Public Defender Fund for contingencies that may arise in the districts; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 15:167(E) is hereby amended and reenacted to read as follows:

§167. Louisiana Public Defender Fund

*    *    *

E. The board shall dedicate and disburse at least sixty-five percent of the entirety of its annual budget and its funds in the Louisiana Public Defender Fund as defined in Subsection A of this Section each fiscal year to the district defender offices and their indigent defender funds as defined in R.S. 15:168(A) in the various judicial districts throughout the state. This amount shall be fully distributed in the first forty-five days of the fiscal year based on an objective plan published by the board no later than April thirtieth of each calendar year. An additional five percent of the entirety of its annual budget and its funds in the Louisiana Public Defender Fund shall be reserved by the board, designated as "Reserve District Assistance Fund", for contingencies that may arise in the districts. The board may reserve these...
funds until a need arises, but it shall not be disbursed for purposes other than district
assistance as part of the District Assistance Fund. Any funds disbursed to any
district defender office shall be paid in addition to the minimum mandatory sixty-
five percent of dedicated and disbursed funds required in this Subsection. The
provisions of this Subsection shall not apply to statutorily dedicated funds or funds
received through the awarding of grants.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part
of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute
part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 167 Engrossed 2018 Regular Session Mack

Abstract: Requires funds to be distributed in the first 45 days of the fiscal year based upon
a plan published by the La. Public Defender Board, and requires that an additional
5% of its annual budget and funds in the La. Public Defender Fund shall be reserved
for district assistance.

Present law provides for the creation of the La. Public Defender Fund and requires the La.
Public Defender Board to dedicate and disburse at least 65% of its annual budget and its
funds in the La. Public Defender Fund each fiscal year to the district defender offices and
their indigent defender funds in the various judicial districts throughout the state.

Proposed law retains present law and provides that this amount shall be fully distributed in
the first 45 days of the fiscal year based on an objective plan published by the board no later
than April 30th of each calendar year.

Proposed law further provides that an additional 5% of the entirety of the board's annual
budget and its funds in the La. Public Defender Fund shall be reserved by the board,
designated as "Reserve District Assistance Fund", for contingencies that may arise in the
districts. The board may reserve these funds until a need arises, but it shall not be disbursed
for purposes other than district assistance as part of the District Assistance Fund.

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

Summary of Amendments Adopted by House

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

1. Remove the requirement that the funds be dedicated and disbursed by Aug. 15th
each year and instead require the funds to be fully distributed in the first 45 days
of the fiscal year based on an objective plan published by the board no later than
April 30th of each calendar year.

2. Provide that an additional 5% of the entirety of the board's annual budget and its
funds in the La. Public Defender Fund shall be reserved by the board for
contingencies that may arise in the districts, to be used only for district
assistance.

CODING: Words in struck through type are deletions from existing law; words underscored
are additions.