

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 467** SLS 24RS 1136

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

|  |         |                                 |
|--|---------|---------------------------------|
| <b>Date:</b> May 30, 2024                              | 9:57 AM | <b>Author:</b> REESE            |
| <b>Dept./Agy.:</b> Office of the State Public Defender |         | <b>Analyst:</b> Daniel Druilhet |
| <b>Subject:</b> Office of the State Public Defender    |         |                                 |

PUBLIC DEFENDER

EN SEE FISC NOTE LF RV

Page 1 of 1

Provides for the office of the state public defender. (gov sig)

Current law provides for rules relative to the Office of the State Public Defender regarding contracts for indigent defendants; requires district public defender programs to continue operating within the method of delivery of services in effect prior to 4/30/07 and prohibits office from using its power to contract to change the structure of a local program, delivery method, or terminate personnel without cause; requires that the office's executive staff positions be permanent, full-time employees of the office and not otherwise engage in the practice of law or engage in any other business or profession; requires the state public defender to develop and implement a strategic plan for delivery of public defender services; requires the state public defender to assist the board in establishing standards, guidelines, policies and procedures for statewide delivery of indigent defender services. Proposed law eliminates the prohibition of the office using its power to contract to change the structure of a local program, delivery method, or terminate personnel without cause; clarifies that the office's executive staff are state employees; removes the prohibition against office employees engaging in the practice of law or any other business or profession; requires development and implementation of standards and guidelines with approval of the board; requires the state public defender to establish policies and procedures for statewide delivery of indigent defender services; requires that offices of the district public defender be a local body with the power to sue and be sued and enter into contracts on terms it deems advisable; requires the district public defender to be the policymaker for its own office; confirms changes consistent with Act 22 of the 2024 2nd ES; enacts law providing for additional court costs in certain mayor's courts.

| EXPENDITURES        | 2024-25          | 2025-26          | 2026-27          | 2027-28          | 2028-29          | 5 -YEAR TOTAL |
|---------------------|------------------|------------------|------------------|------------------|------------------|---------------|
| State Gen. Fd.      | \$0              | \$0              | \$0              | \$0              | \$0              | <b>\$0</b>    |
| Agy. Self-Gen.      | \$0              | \$0              | \$0              | \$0              | \$0              | <b>\$0</b>    |
| Ded./Other          | \$0              | \$0              | \$0              | \$0              | \$0              | <b>\$0</b>    |
| Federal Funds       | \$0              | \$0              | \$0              | \$0              | \$0              | <b>\$0</b>    |
| Local Funds         | \$0              | \$0              | \$0              | \$0              | \$0              | <b>\$0</b>    |
| <b>Annual Total</b> | <b>\$0</b>       | <b>\$0</b>       | <b>\$0</b>       | <b>\$0</b>       | <b>\$0</b>       | <b>\$0</b>    |
| REVENUES            | 2024-25          | 2025-26          | 2026-27          | 2027-28          | 2028-29          | 5 -YEAR TOTAL |
| State Gen. Fd.      | \$0              | \$0              | \$0              | \$0              | \$0              | <b>\$0</b>    |
| Agy. Self-Gen.      | \$0              | \$0              | \$0              | \$0              | \$0              | <b>\$0</b>    |
| Ded./Other          | \$0              | \$0              | \$0              | \$0              | \$0              | <b>\$0</b>    |
| Federal Funds       | \$0              | \$0              | \$0              | \$0              | \$0              | <b>\$0</b>    |
| Local Funds         | <b>SEE BELOW</b> | <b>SEE BELOW</b> | <b>SEE BELOW</b> | <b>SEE BELOW</b> | <b>SEE BELOW</b> |               |
| <b>Annual Total</b> |                  |                  |                  |                  |                  |               |

**EXPENDITURE EXPLANATION**

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

The proposed legislation clarifies the duties specific to the Office of the State Public Defender and district public defenders in alignment with Act 22 of the 2024 2nd Extraordinary Legislative Session. Therefore, there is no anticipated material effect on governmental expenditures with its enactment.

**REVENUE EXPLANATION**

The proposed law may result in an indeterminable increase in revenues to local governing authorities and the Fourteenth Judicial District Indigent Defender Fund as a result of allowing mayor's courts in certain jurisdictions to assess additional court costs of not more than \$20 for each offense for any defendant convicted of a violation of a municipal ordinance or traffic violation, with 50% of those costs collected remitted to the Fourteenth Judicial District Defender Fund. The exact fiscal impact to local governing authorities and the Fourteenth Judicial District Indigent Defender Fund is indeterminable, as the number of violations of municipal ordinance or traffic violations that will occur with proposed law's enactment is unknown.

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**