

2016 Regular Session

HOUSE BILL NO. 547

BY REPRESENTATIVE JACKSON

CRIMINAL/PROCEDURE: Provides for the development of a uniform form for determining indigency of an accused person

1 AN ACT

2 To enact R.S. 15:175(D), relative to public defender services; to provide with respect to  
3 determinations of indigency; to authorize the adoption of a uniform form to be used  
4 in determining indigency; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:175(D) is hereby enacted to read as follows:

7 §175. Proceedings to determine indigency

8 \* \* \*

9 D. The judicial administrator for the Louisiana Supreme Court shall develop  
10 a form to be used by the court in determining indigency. The form, at a minimum,  
11 shall include the following determinations by the court:

- 12 (1) Whether the defendant receives any form of public assistance.
- 13 (2) The occupational status of the defendant and income, if any.
- 14 (3) Whether the payment of legal fees would deprive the defendant or his  
15 dependents of necessities of life including clothing, shelter, or food.
- 16 (4) Whether the defendant is eligible for indigent defender services based  
17 upon the defendant's income and assets.

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**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)]

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HB 547 Engrossed

2016 Regular Session

Jackson

**Abstract:** Provides for the development of a form by the La. Supreme Court to be used in determining indigent status of an accused person.

Present law provides for representation of defendants who are indigent and requires the court to determine indigency.

Proposed law requires the judicial administrator of the La. Supreme Court to develop a form to be used by the court in determining indigency. Provides for the contents of the form.

(Adds R.S. 15:175(D))

Summary of Amendments Adopted by House

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

1. Removes references to the indigency review panel in proposed law.
2. Adds a provision requiring the judicial administrator of the La. Supreme Court to develop a form to be used by the court to determine indigency.