
The original instrument was prepared by James Benton. The following digest, which does not constitute a part of the legislative instrument, was prepared by Alden A. Clement, Jr.

DIGEST

SB 317 Engrossed 2018 Regular Session Claitor

Present law provides that the La. Public Defender Board consists of 11 members.

Proposed law changes the board membership from 11 to 13 members.

Present law provides that the board is composed as follows:

- (1) The governor appoints five members, one from each appellate court district, and designates the chairman.
- (2) The chief justice of the La. Supreme Court appoints four members, one member being a juvenile justice advocate, one member being a retired judge with criminal law experience, and two at-large members.
- (3) The president of the Senate and the speaker of the House of Representatives each appoint one member.

Proposed law retains present law and adds the following:

- (1) The chairman of the Senate Committee on Judiciary C appoints one member.
- (2) The chairman of the House Committee on Administration of Criminal Justice Committee appoints one member.

Present law provides that a member may be removed for excessive absences from meetings of the board. Present law "excessive absences" as a member missing four duly noticed meetings within a period of 18 months or three duly noticed meetings within a period of 10 months.

Proposed law changes present law to provide that the board, by a vote of 2/3 of the members, may expel a member who has accumulated three unexcused absences from board meetings during a 12 month period.

Present law provides that upon review of board member attendance, if a board member has been excessively absent from board meetings, the chairman is to inform the board of the absences and send written notice on behalf of the board to the member requesting that the member resign his position on the board. Present law further provides that if the member refuses to resign, the board is to remove the member for excessive absences in accordance with the provisions of present law.

Proposed law deletes present law.

Present law provides that if a member is removed as provided by present law, the board is to send written notice to the member informing him of his removal and notify the appropriate appointing authority of the vacancy on the board.

Proposed law makes present law applicable to the proposed law removal process and changes the present law reference from a "removed" member to an "expelled" member.

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

(Amends R.S. 15:146(B)(1), (B)(3)(e) and (C); adds R.S. 15:146(B)(3)(f) and (g))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary C to the original bill

1. Change two additional proposed law board members from the chairmen of the Senate Committee on Judiciary C and the House Committee on Administration of Criminal Justice to members appointed by those two chairmen.