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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alan Miller.

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DIGEST

SB 8 Original

2024 Second Extraordinary Session

Reese

Present law provides that every person is entitled to assistance of counsel of his choice, or appointed by the court if he is indigent and charged with an offense punishable by imprisonment and that the legislature provide for a uniform system for securing and compensating qualified counsel for indigents.

Proposed law retains present law.

Present law established the La. Public Defender Bd. (board) to provide for the delivery of public defender services which meet the requirements established by the United States Supreme Court and the Louisiana Supreme Court.

Proposed law transfers the authority to deliver public defender services provided for in present law from the board to the office of the state public defender (office).

Proposed law authorizes the office to:

- (1) Regulate and fund public defender services and provide financial support to other service programs that provide services to persons adjudicated in the criminal justice system.
- (2) Make recommendations to the legislature, governor, and the chief justice of the Louisiana Supreme Court regarding potential changes to laws in order to improve public defender services and the criminal justice system in Louisiana.

Present law provides for the board to appoint a state public defender to administer the statewide public defender system for the delivery of public defender services.

Proposed law provides for the governor to appoint the state public defender for a term of six years, subject to Senate confirmation.

Proposed law retains the existence of the board to serve in an advisory capacity to the state public defender.

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

(Amends R.S. 15:142(C) and (F), 143, 146(A), (B)(1) and (C), 147(A), (B)(1), (3), (4), (5)(b)(iii), (6), (7), (15), (17), (19) and (20), (C), (D) and (E), 148(A), (B)(1)(a)(intro para), (b), (c), (d), (e) and (f) and (5) - (13) and (C), 149.1, 149.2, 150(A), (C) and (E), 152, 161(A), (E)(5) and (7) - (14), (F), (H), (I) and (J), 162, 163, 164(A), (C)(1), (D)(intro para), (E)(4) and (F)(2), 165(A), (B), (C), (D),

(F) and (G), 166, 167(A), (D) and (E), 168(D), 169, 170(A)(1) and (3), (B)(2), (5), (6), (8) and (9), (C), (D)(1), (2) and (3), (G), (H), (I) and (J), 173(B), 174(A) and (B)(1), 175(A)(1)(f) and (i) and (2) and (C), 178, 180, 185.2(1) - (7), 185.3(A), (B)(intro para), (B)(6), (7), (11), (17), (18), and (19)(g), (C) and (D), 185.4(A), (B)(2), (10) and (12), 185.6(A), (B)(1) and (B)(2)(intro para), and (D), 187.7(B), 185.9(A)(intro para), 185.9(B), (C)(intro para) and (C)(3), 186.2(1) - (7), 186.3(A), (B)(intro para), (B)(5)(a), (6), (10), (13)(c), (16), (17) and (18)(c) and (C), 186.4(A) and 186.5(D) and (E); adds R.S. 15:164(B)(4); repeals R.S. 15:146(D), 148(B)(14) and (15), 151, 153, 154, 155, 156, 157, 158, 159, 160, 162.1 and 168(E) and (F))