



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 447** HLS 25RS 908
Bill Text Version: **ORIGINAL**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.:

Date: May 7, 2025	7:58 PM	Author: FARNUM
Dept./Agy.: Clerks of Court and Office of the State Public Defender		Analyst: Daniel Druilhet
Subject: Office of the State Public Defender		

INDIGENT DEFENSE OR SEE FISC NOTE LF RV Page 1 of 1
Provides relative to the office of the state public defender

Current law provides for the powers and duties of district public defenders; provides for the authority of the Office of the State Public Defender (OSPD) to take disciplinary actions against district defenders; provides for hearings and investigations by the board to determine the reasonableness of actions to terminate district defenders; provides for the duties of the Oversight Board relative to administration of hearings and investigations; provides for proceedings to determine indigency. Proposed law provides that the board members of the OSPD may attend and conduct board meetings via electronic means no more than twice per calendar year; provides that a district defender who contracts with the OSPD is an independent contractor and not an agent of the OSPD; provides that the right to a hearing and investigation regarding the demotion or termination of a district defender is limited to instances of discipline or early contract termination, and that a district defender has no right to a hearing for non-renewal of a contract; provides that the OSPD has the sole authority to contract for legal service delivery; provides that the chairman of the Oversight Board shall appoint a hearing committee to enforce provisions regarding the appropriateness of termination for just cause; provides that no clerk of court shall charge or collect fees for the filing of a writ application for an appeal when a determination has been made that the applicant or appellant is indigent.


EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION
There is no anticipated direct material effect on governmental expenditures as a result of this measure. The Office of the State Public Defender has advised that there is no projected fiscal impact with the enactment of the proposed law.

REVENUE EXPLANATION
Proposed law may result in an indeterminable decrease in Local revenues to the five circuit courts of appeal, to the extent that clerks of court are prohibited from charging or collecting any fees for the filing of a writ application or an appeal when a determination has been made that the applicant or appellant is indigent. The filing fees for writ applications for appeals range from \$181 per writ application to \$331 per writ application. The exact fiscal impact to circuit courts of appeal is indeterminable, as it is unknown the number of indigent appellants that will submit writ applications for appeals after a determination is made concerning indigency in the future.

Note: The LFO is working with the clerks of court of the five circuit courts of appeal to retrieve past statistical information regarding the number of writ applications that they have received from indigent appellants, and this information will be provided as it becomes available.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	Patrice Thomas
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	Deputy Fiscal Officer