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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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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SB 448 Original

DIGEST  
2026 Regular Session

Luneau

Proposed law prohibits all funds received through any state appropriation, any judicial district indigent defender fund as provided for in present law, and any funds received from local governments being used for any purposes other than to provide for the administration of services and representation of public defender clients.

Present law requires that the office of the state public defender (office) respect local differences in practice and custom regarding the delivery of public defender services and that present law be construed to preserve the operation of district public defender programs which provide effective assistance of counsel and meet performance standards in whatever form of delivery that local district has adopted, provided that method of delivery is consistent with standards and guidelines adopted by the office pursuant to rules and as required by statute.

Proposed law retains present law.

Present law authorizes each judicial district to accumulate funds for the purposes of retaining expert witnesses. Present law requires the district public defender, in his discretion, to determine how payments are administered and which experts are to be paid.

Proposed law repeals present law.

Present law authorizes any person who has retained private counsel but is found to be indigent to apply for funds for expert witnesses in the same manner as public defender clients. Present law requires each person to apply for the funds by making application to the public defender of the district having jurisdiction and subject to the same requirements as indigent clients.

Proposed law repeals present law.

Present law prohibits any court from having jurisdiction to order the payment of any funds administered by the office or district public defender for expert witnesses, or for any other reason.

Proposed law prohibits any court from ordering the payment of any funds administered by the office or district public defender for expert witnesses, or for any other reason.

Present law requires the court, in determining whether or not a person is indigent and entitled to the appointment of counsel, to consider whether the person is a needy person and the extent of his ability to pay.

Proposed law retains present law as it relates to a preliminary determination.

Effective August 1, 2026.

(Amends R.S. 15:142(F), 168(E), and 175(B)(1); adds R.S. 15:142(G) and 175(E))