
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Alden A. Clement Jr.

DIGEST

SB 406 Original

2016 Regular Session

Lambert

Present law creates within each judicial district an indigent defender fund that is to be administered by the district public defender and is to be composed of funds provided for by present law, as well as other funds as may be appropriated or otherwise made available to it.

Proposed law retains present law.

Present law provides that every court of original criminal jurisdiction (except in the town of Jonesville in the city of Plaquemine, and in mayors' courts in municipalities having a population of less than 5,000) are to remit \$45 to the district indigent defender fund for present law violations, except parking violations, in which the defendant is convicted after a trial, a plea of guilty or nolo contendere, or after forfeiting bond, and this amount is in addition to all other fines, costs, or forfeitures imposed.

Proposed law retains present law.

Present law provides that the court cost of \$45 expires on 8/1/16 and after that date will be \$35. Present law further provides that mayors' courts that are required to assess the court cost of \$35 on 6/7/12 are to continue to assess such amount as cost of court after 8/1/16.

Proposed law deletes these provisions of present law.

Present law provides that the La. Public Defender Board is to provide a detailed report to the legislature prior to the 2016 Regular Session detailing how the funds provided for by present law were utilized in each judicial district.

Proposed law deletes present law as the deadline for filing the report required by present law has passed.

Proposed law provides that in all felony or misdemeanor cases, including traffic offenses, a person who has entered into a pretrial diversion agreement with a district attorney's office may be assessed the special costs provided for by present law in the amount designated in present law.

Proposed law provides that the amounts assessed pursuant to proposed law are to be paid by money order or cashier's check made payable to the indigent defender fund of the respective judicial district, and must include the name of the pretrial diversion participant and the date of the assessment.

Proposed law provides that the funds provided for in proposed law, as well as any other self-generated revenue and all interest or other income earned from the investment of such funds and

self-generated revenue, are to be retained in the district and used and administered by the district public defender.

Effective August 1, 2016.

(Amends R.S. 15:168(B)(1); adds R.S. 15:168.1)