SLS 16RS-596 **ORIGINAL**

2016 Regular Session

1

17

SENATE BILL NO. 418

BY SENATOR LAMBERT

INDIGENT DEFENSE. Provides for payment of fee for application as an indigent to the judicial district indigent defender fund. (8/1/16)

AN ACT

2	To amend and reenact R.S. 15:175(A)(1)(f), relative to indigent defenders; to provide for
3	payment of application fees; to provide for assessment of fees; and to provide for
4	related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 15:175(A)(1)(f) is hereby amended and reenacted to read as follows
7	§175. Proceedings to determine indigency
8	A.(1)(a) * * *
9	(f) An accused person or, if applicable, a parent or legal guardian of ar
10	accused minor or an accused adult person who is claimed as a dependent on the
11	federal income tax submission of his parent or legal guardian, who makes application
12	to the district office certifying that he is financially unable to employ counsel and
13	requesting representation by indigent defense counsel or conflict counsel, shall pay
14	a nonrefundable application fee of forty dollars to the district office or its designee
15	which fee shall be in addition to all other fees or costs lawfully imposed. If the board
16	or other appropriate official determines that the person does not have the financia

resources to pay the application fee based upon the financial information submitted,

the fee may be waived or reduced. An accused who is found to be indigent may not
be refused counsel for failure to pay the application fee. This fee shall also be paid

prior to any release upon execution of a bond of any accused person.

* * * *

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ashley E. Menou.

DIGEST 2016 Regular Session

Lambert

SB 418 Original

\$40.

<u>Present law</u> provides that an accused person who makes an application to the district office certifying that he is financially unable to employ counsel and requesting representation by indigent defense counsel or conflict counsel must pay a nonrefundable application fee of

<u>Present law</u> provides the fee shall be deposited into the judicial district indigent defender fund in the judicial district in which the application was made.

<u>Proposed law</u> retains <u>present law</u> and requires the assessment of the \$40 fee prior to any release upon execution of a bond.

Effective August 1, 2016.

(Amends R.S. 15:175(A)(1)(f))