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DIGEST

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HB 689 Reengrossed

2016 Regular Session

Jones

**Abstract:** Requires 30% of funds collected by the city courts of Morgan City, New Iberia, Breaux Bridge, and Franklin to be deposited into a special indigent defender fund for indigent defense services in each city court, and to provide for the membership and function of those respective city court indigent defender fund boards.

Present law (R.S. 15:168) requires the collection of court costs in courts of original criminal jurisdiction in the amount of \$45 until Aug. 1, 2016, and \$35 thereafter. Provides that such funds shall be used and administered by the district public defender.

Proposed law retains present law except it requires 30% of those funds collected by the city court of Morgan City, to be deposited into the Morgan City Public Defender Fund.

Proposed law creates the Morgan City Public Defender Fund Board to manage and oversee funds remitted to the Morgan City Public Defender Fund. Membership of the board is comprised of three members each residing in the Morgan City Court district appointed as follows:

- (1) One member appointed by the city council of Morgan City.
- (2) One member appointed by the St. Mary Parish Council.
- (3) One member appointed by the legislative delegation and nominated from the Louis A. Martinet Legal Society.

Present law (R.S. 13:2005.1) provides that all fines, forfeitures, and penalties imposed by the city court of New Iberia shall be paid into the city treasury.

Proposed law retains present law except it requires 30% of those funds collected by the city court of New Iberia, to be deposited into the New Iberia Public Defender Fund.

Proposed law creates the New Iberia Public Defender Fund Board to manage and oversee funds remitted to the New Iberia Public Defender Fund. Membership of the board is comprised of three members each residing in the New Iberia City Court district appointed as follows:

- (1) One member appointed by the city council of New Iberia.
- (2) One member appointed by the Iberia Parish Council.
- (3) One member appointed by the legislative delegation and nominated from the Louis A. Martinet Legal Society.

Present law (R.S. 13:2488.7) provides that all fines, forfeitures, penalties, and costs designated by

the city judge shall be paid into the Franklin town treasury when the prosecution is on behalf of the town and the parish treasury when the prosecution is on behalf of the state or parish.

Proposed law retains present law except it requires 30% of those funds collected by the city court of Franklin to be deposited into the Franklin Public Defender Fund.

Proposed law creates the Franklin Public Defender Fund Board to manage and oversee funds remitted to the Franklin Public Defender Fund. Membership of the board is comprised of three members each residing in the Franklin City Court district appointed as follows:

- (1) One member appointed by the city council of Franklin.
- (2) One member appointed by the St. Mary Parish Council.
- (3) One member appointed by the legislative delegation and nominated from the Louis A. Martinet Legal Society.

Present law (R.S. 13:2488.77) provides that all fines, forfeitures, penalties, and costs designated by the city judge shall be paid into the Breaux Bridge town treasury when the prosecution is on behalf of the town and into the parish treasury of the St. Martin Parish police jury general fund when the prosecution is on behalf of the state or parish.

Proposed law retains present law except it requires 30% of those funds collected by the city court of Breaux Bridge to be deposited into the Breaux Bridge Public Defender Fund.

Proposed law creates the Breaux Bridge Public Defender Fund Board to manage and oversee funds remitted to the Breaux Bridge Public Defender Fund. Membership of the board is comprised of three members each residing in the Breaux Bridge City Court district appointed as follows:

- (1) One member appointed by the city council of Breaux Bridge.
- (2) One member appointed by the St. Martin Parish Council.
- (3) One member appointed by the legislative delegation and nominated from the Louis A. Martinet Legal Society.

(Amends R.S. 13:2005.1, 2488.7, and 2488.77; Adds R.S. 13:2005(D) and (E))

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Creates the Franklin Public Defender Fund Board to manage and oversee funds remitted to the Franklin Public Defender Fund, and provides for its membership.
2. Creates the New Iberia Public Defender Fund Board to manage and oversee funds remitted to the New Iberia Public Defender Fund, and provides for its membership.
3. Creates the Morgan City Public Defender Fund Board to manage and oversee funds

- remitted to the Morgan City Public Defender Fund, and provides for its membership.
4. Provides that 30% of funds collected by the city court of Franklin, city court of New Iberia, and city court of Morgan City shall be deposited into the proposed law funds.
  5. Adds technical amendments.

The House Floor Amendments to the engrossed bill:

1. Creates the Breaux Bridge Public Defender Fund Board to manage and oversee funds remitted to the Breaux Bridge Public Defender Fund, and provides for its membership.
2. Provides that 30% of funds collected by the city court of Breaux Bridge shall be deposited into the proposed law fund.