
The original instrument was prepared by Alden A. Clement, Jr. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ashley Menou.

SB 406 Engrossed DIGEST 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.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 15:168(B)(1))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary B to the bill

1. Deletes provisions allowing a person who has entered into a pretrial diversion

agreement with a district attorney's office to be assessed special court costs.

2. Deletes provision requiring any special court costs collected from a person in a pretrial diversion agreement be paid to the indigent defender fund of the judicial district of the pretrial diversion participant to be administered by the district public defender.
3. Changes the effective date from August 1, 2016 to upon signature of the governor.