

2016 Regular Session

HOUSE BILL NO. 912

BY REPRESENTATIVE MAGEE

INDIGENT DEFENSE: Provides with respect to funding of representation in capital offense cases

1 AN ACT

2 To enact R.S. 15:169(C), relative to the representation of capital defendants; to provide that
3 local governing authorities shall fund a portion of the costs associated with
4 representation of capital defendants; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:169(C) is hereby enacted to read as follows:

7 §169. Representation of capital defendants

8 * * *

9 C. Notwithstanding any other provision of law to the contrary, the local
10 governing authority of the parish or parishes where a judicial district is located shall
11 provide up to thirty percent of the costs associated with providing representation to
12 capital defendants.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, 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)]

HB 912 Original

2016 Regular Session

Magee

Abstract: Requires local governments to pay up to 30% of costs incurred in representing capital defendants.

Present law provides that in order to fund indigent defense services, court costs of \$45 shall be assessed in certain criminal court cases until Aug. 1, 2016 (\$35 shall be collected thereafter).

Present law provides that in criminal cases where a sentence of death has been imposed, the public defender board shall promptly enroll counsel to represent the defendant. Requires the board to adopt rules and retain only such staff counsel or other counsel, who will work under the supervision of the board, as are necessary to provide counsel to represent capital defendants on direct appeal to the Supreme Court of Louisiana and to seek post-conviction relief if appropriate in state and federal court.

Proposed law retains present law and further provides that the local governing authority of the parish or parishes where a judicial district is located shall provide up to 30% of the costs associated with providing representation to capital defendants.

(Adds R.S. 15:169(C))