

1 HOUSE BILL NO. 96

2 INTRODUCED BY M. MENAHAN

3 BY REQUEST OF THE PUBLIC DEFENDER COMMISSION

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5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE OFFICE OF STATE PUBLIC DEFENDER TO
6 RECOVER ITS COSTS OF REPRESENTATION FROM A RESPONDENT IN CERTAIN CASES; AND
7 AMENDING SECTION 47-1-110, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 47-1-110, MCA, is amended to read:

12 **"47-1-110. Public defender account.** (1) There is a public defender account in the state special revenue
13 fund. Gifts, grants, or donations provided to support the system must be deposited in the account. Money in the
14 account may be used only for the operation of the system.

15 (2) ~~Beginning July 1, 2006, money~~ Money to be deposited in the account also includes:

16 (a) payments for the cost of a public defender ordered by the court pursuant to 46-8-113 as part of a
17 sentence in a criminal case;

18 (b) payments for public defender costs ordered pursuant to the Montana Youth Court Act; ~~and~~

19 (c) payments made pursuant to The Crime Victims Compensation Act of Montana and designated as
20 payment for public defender costs pursuant to 53-9-104; and

21 (d) payments for the cost of a public defender in proceedings under the provisions of the Uniform Probate
22 Code in Title 72, chapter 5, or proceedings under 53-20-112 for the involuntary commitment of a developmentally
23 disabled person when the respondent is determined to have the financial ability to pay for a public defender and
24 a judge orders payment under 47-1-111."

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