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Bill Analysis
Legislative Service Commission

H.B. 153

123rd General Assembly
(As Introduced)

Reps. Callender, Taylor, Young, Sullivan, Opfer, Krupinski

BILL SUMMARY

- Requires the state to reimburse counties for 50% of the total costs associated with the defense of certain indigent persons through a county public defender office, joint county public defender office, or county appointed counsel system.

CONTENT AND OPERATION

Existing law

Current law *generally* requires the state, in accordance with specified procedures and through the State Public Defender's office, to reimburse a county for 50% of the county's (1) cost of operating a county public defender office, joint county public defender office, or county appointed counsel system and (2) costs and expenses of conducting the defense in capital cases (secs. 120.18(A), 120.28(A), 120.33(A)(4), and 120.35--in the bill; sec. 2941.51--not in the bill). If the amount appropriated by the General Assembly in any fiscal year is insufficient to pay 50% of the total cost in the fiscal year *of all* county public defender offices, joint county public defender offices, and county appointed counsel systems or 50% *of all* of the counties' costs and expenses of conducting the defense in capital cases, the amount of money paid in that fiscal year to each county for the fiscal year must be reduced proportionately so that each county is paid an equal percentage of its total cost in the fiscal year for operating its public defender office, joint public defender office, or county appointed counsel system or an equal percentage of its costs and expenses of conducting the defense in capital cases (sec. 120.34).

Changes proposed by the bill

The bill repeals existing law's "insufficient General Assembly appropriation" provisions and explicitly provides that the state must reimburse (in

accordance with existing law's specified procedures and through the State Public Defender's office) a county (1) for 50% of its total cost involved in providing defense counsel to indigents through the operation of a county public defender office, joint county public defender office, or county appointed counsel system and (2) for 50% of its costs and expenses of conducting the defense in capital cases (secs. 120.18(A), 120.28(A), 120.33(A)(4), 120.34, and 120.35).

HISTORY

ACTION	DATE	JOURNAL ENTRY
Introduced	02-08-99	p. 170

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