

Department of Planning and Budget 2008 Fiscal Impact Statement

1. Bill Number: SB553ER

House of Origin ☐ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☒ Enrolled

2. Patron: Hurt

3. Committee: Passed Both Houses

4. Title: **Appointment of counsel; indigent defendants.**

5. Summary: Maintains the current provision, due to expire on July 1, 2008, that if there is no attorney reasonably available who is on the list maintained by the Indigent Defense Commission, the court may appoint an appropriately trained and experienced attorney not on the list and must notify the Commission of the appointment. The bill also clarifies that when the public defender is unable to represent the defendant due to a conflict of interest or the court finds that the appointment of other counsel is necessary to attain the ends of justice, the appointment shall be from the list maintained by the Commission.

6. No Fiscal Impact: Final (see Item 8)

7. Budget Amendment Necessary: No

8. Fiscal Implications: According to the Supreme Court and the Indigent Defense Commission, this legislation has no additional fiscal impact on their operations.

9. Specific Agency or Political Subdivisions Affected: Courts, Indigent Defense Commission

10. Technical Amendment Necessary: No

11. Other Comments: Similar to HB410ER

Date: 2/26/2008 dpb

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