

IN THE SENATE

SENATE BILL NO. 1257

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO PUBLIC DEFENSE; AMENDING SECTION 19-849, IDAHO CODE, TO REVISE  
THE MEMBERSHIP OF THE STATE PUBLIC DEFENSE COMMISSION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 19-849, Idaho Code, be, and the same is hereby  
amended to read as follows:

19-849. STATE PUBLIC DEFENSE COMMISSION. (1) There is hereby created  
in the department of self-governing agencies the state public defense com-  
mission. The commission shall consist of ~~seven~~ nine (79) members as follows:

(a) Two (2) representatives from the state legislature that shall in-  
clude one (1) member from the senate and one (1) member from the house of  
representatives;

(b) One (1) representative appointed by the chief justice of the Idaho  
supreme court; and

(c) ~~Four Six~~ (46) representatives appointed by the governor and con-  
firmed by the senate as follows:

(i) ~~One Two~~ (12) representatives from the Idaho association of  
counties;

(ii) ~~One Two~~ (12) representatives who ~~has~~ have experience as a de-  
fending attorney;

(iii) One (1) representative from the office of the state appel-  
late public defender; and

(iv) One (1) representative from the Idaho juvenile justice com-  
mission.

(2) No individual who is currently employed as a prosecuting attorney  
or who is a current employee of a law enforcement agency may be a member of the  
commission.

(3) The members of the commission shall serve the following terms:

(a) The gubernatorial appointees shall serve terms of three (3) years.

(b) The representative appointed by the chief justice of the Idaho  
supreme court shall serve a term of two (2) years.

(c) The representatives from the state legislature shall serve terms of  
two (2) years as appointed by the president pro tempore of the senate and  
speaker of the house of representatives during their legislative terms  
of office.

(4) A vacancy on the commission shall be filled in the same manner as the  
original appointment and for the balance of the unexpired term.

(5) The commission shall appoint a chairman and a vice chairman from  
among its members for a term certain.

(6) The members of the commission shall be compensated as provided for  
in section 59-509(b), Idaho Code.