

STATEMENT OF PURPOSE

RS28544 / H0192

This proposed legislation would remove public defense from being county responsibility and place the obligation with the state. The Public Defense Commission would become a state Public Defense Board housed under the current State Appellant Public Defender's Office. Public defense would be provided through the creation of judicial district level public defense districts, with each county in each judicial district receiving a seat on an oversight board, and each oversight board receiving one seat on the state board. The seven public defense districts would each have a chief public defender who would be under the supervision of the state chief public defender.

FISCAL NOTE

The legislation aims to mitigate the shift from county to state expense by reducing the sales tax distribution to counties by an amount substantially equal to the amount spent collectively by counties on public defense from county revenue sources. In 2020, a total of \$39,200,000 was spent on public defense statewide, including \$11,300,000 already appropriated from the general fund and \$27,900,000 from county revenue sources. The legislation would reduce the percentage of the sales tax distribution being sent to counties by an amount equal to the \$27,900,000 based on 2020 revenues. The result is should be substantially break-even for both county and state budgets.

Contact:

Representative Greg Chaney
(208) 332-1000

DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).