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FISCAL IMPACT REPORT

ORIGINAL DATE 1/31/07

SPONSOR Lundstrom LAST UPDATED _____ HB 458

SHORT TITLE Limit Public Defender Contracts SB _____

ANALYST Wilson

ESTIMATED ADDITIONAL OPERATING BUDGET IMPACT (dollars in thousands)

	FY07	FY08	FY09	3 Year Total Cost	Recurring or Non-Rec	Fund Affected
Total		Unknown	Unknown		Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

SOURCES OF INFORMATION

LFC Files

Responses Received From

Public Defender Department (PDD)

SUMMARY

Synopsis of Bill

House Bill 458 limits the amount that the PDD may pay a legal entity in any twelve-month contract period to \$300,000.

The limitation set forth in this bill does not apply to or limit the ongoing representation of a client by a legal entity once an attorney-client relationship has been established between that legal entity and that client.

FISCAL IMPLICATIONS

The PDD claims that if a contract attorney's business is limited, the PDD may be forced to send staff attorneys to outlying districts, thus incurring travel and other expenses for which there have been no funds budgeted.

SIGNIFICANT ISSUES

The PDD is concerned that there may be instances in the judicial districts where there are no public defender offices and this bill will limit the ability of a legal entity to take on additional clients in need of representation.

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The PDD states that this bill could adversely impact the statutory and constitutional obligation of the PDD to provide legal services to indigent criminal defendants.

ADMINISTRATIVE IMPLICATIONS

There may be some additional contracts required by the PDD, but the PDD staff should be able to handle it as part of their ongoing responsibilities.

DW/csd