

PROPOSED AMENDMENT

SB 308 # 1

DIGEST

Requires establishment of a court administered pretrial services program to determine indigency in order for a county to qualify for reimbursement of public defender expenses.

- 1 Page 3, between lines 7 and 8, begin a new paragraph and insert:
2 "SECTION 3. IC 33-40-6-6 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 6. **(a)** The commission
4 shall give priority to certified claims for reimbursement in capital
5 cases. If the balance in the public defense fund is not adequate to fully
6 reimburse all certified claims in noncapital cases, the commission shall
7 prorate reimbursement of certified claims in noncapital cases.
8 **(b) The commission may not pay or certify a claim for**
9 **reimbursement in a noncapital case unless the county submitting**
10 **the claim has established and uses a court administered pretrial**
11 **services program to:**
12 **(1) obtain financial information from a defendant; and**
13 **(2) conduct a financial background investigation;**
14 **to determine if the defendant is indigent and eligible for the**
15 **appointment of a public defender."**
16 Renumber all SECTIONS consecutively.
 (Reference is to SB 308 as introduced.)