

STATEMENT TO
[Second Reprint]
ASSEMBLY, No. 2720

with Assembly Floor Amendments
(Proposed By Assemblymen RUSSO and CARABALLO)

ADOPTED: MAY 8, 1997

These floor amendments make the following changes in the bill requiring each municipality to provide a municipal public defender:

Section 1 A technical correction in quoted language;

Section 6 Restore language omitted by the second reprint version concerning the provision of expert and lay investigation and testimony and th municipality's responsibility for the payment of these costs;

Add a new subsection c. concerning a one year delay for the municipality's responsibility to pay for these costs;

Section 7 Clarify when there is a need for a public defender to be appointed. These floor amendments provide that a person charged with certain crimes and with any other offense , if in the opinion of the municipal court there is a likelihood that the defendant, if convicted, will be subject to imprisonment or other consequence of magnitude, shall be represented by a municipal public defender;

Section 17 Raise the application fee maximum from \$100.00 to \$200.00, but only in an amount necessary to pay the costs of municipal public defender services. Provide that the municipal court may permit a person to pay that fee over time for a period not to exceed four months. Provide that these funds shall be deposited in a dedicated fund administered by the chief financial officer of the municipality or in the case of a joint municipal court in a manner agreed to by the constituent municipalities to be used exclusively to meet the costs incurred in providing the services of a municipal public defender;

Certain excess amounts in this fund in future years shall be forwarded to the Criminal Disposition and Review Collection Fund administered by Victims of Crime Compensation Board;

Effective date Provide for the later of January 1, 1998 or the 180th day after enactment with exceptions for sections 17 and 18.

These floor amendments make this bill identical to Senate, No. 1886 (1R).