SUMMARY—Revises provisions relating to indigent defense. (BDR 20-144)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.

Effect on the State: May have Fiscal Impact.

Effect on the State Highway Fund: No.

AN ACT relating to indigent defense; revising the requirements of certain reports relating to the provision of indigent defense services submitted to the Department of Indigent Defense Services; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the board of county commissioners of each county with a public defender or which contracts for indigent defense services to provide an annual report to the Department of Indigent Defense Services concerning the provision of indigent defense services, unless the Department requires the report to be provided on a quarterly basis. (NRS 260.070) **Section 1** of this bill revises the requirements of this annual report by: (1) removing the ability of the Department to require quarterly reporting; (2) authorizing a county to certify in its annual report that the plan for the provision of indigent defense services has not changed; and (3) excluding from the requirement to submit estimated costs in its annual report a county that has voluntarily transferred or has been required to transfer to the State Public Defender responsibility for the provision of indigent defense services.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN

SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 260.070 is hereby amended to read as follows:

260.070 1. The public defender shall make an annual report to:

(a) The board of county commissioners covering all cases handled by his or her office during the preceding year.

(b) The Department of Indigent Defense Services created by NRS 180.400 which includes any information required by the Department.

2. The board of county commissioners of each county with a public defender or which contracts for indigent defense services shall provide an annual report to the Department on or before May 31 of each year ***.*** ~~[, unless the Department requires the report to be provided on a quarterly basis.]~~ The report must include ~~[any]~~ ***:***

(a) Any information requested by the Department concerning the provision of indigent defense services in the county ~~[and must include, without limitation, the]~~ ***;***

(b) The plan for the provision of indigent defense services for the county for the next fiscal year or, ~~[if the Department requires the report to be provided on a quarterly basis, for the next quarter.]~~ ***if no changes have been made to an existing plan for the provision of indigent defense***

services for the previous fiscal year, certification indicating that no changes have been made; and

(c) The estimated cost to carry out the plan for the provision of indigent defense services for the next fiscal year, unless the county has voluntarily transferred or has been required to transfer responsibility for the provision of indigent defense services to the State Public Defender pursuant to NRS 180.450.

3. As used in this section, "indigent defense services" has the meaning ascribed to it in NRS 180.004.