

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 5587
STATE OF NEW JERSEY
220th LEGISLATURE

DATED: JUNE 29, 2023

SUMMARY

Synopsis: Eliminates fees, liens, and warrants issued for Public Defender services.

Type of Impact: A State revenue decrease to the General Fund.

Agencies Affected: Department of the Treasury.

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Revenue Decrease	Approx. \$4 million	Indeterminate	Indeterminate

- The Office of Legislative Services (OLS) finds that this bill will result in an approximate revenue loss of \$4 million in the first year and indeterminate losses in the following years. This bill repeals the law concerning fees for services rendered by the Office of the Public Defender. According to the FY 2024 Governor’s Budget, the FY 2023 Public Defender Client Fees are estimated at \$4 million. The OLS does not have revenue projections for the following years. However, in the last five years, between FY 2018 to FY 2022, the client receipts and collections have averaged at a little less than \$4 million.

BILL DESCRIPTION

This bill repeals the law concerning fees for services rendered by the Office of the Public Defender.

Any unpaid outstanding fees previously assessed or imposed upon a defendant for services rendered by the public defender are vacated, as well as any unsatisfied civil judgements, liens on property, and warrants issued based on the unpaid balances.

Current law provides that in cases where it appears that the defendant has the means to meet some of the cost of services rendered by the public defender, the defendant is required to reimburse the Office of the Public Defender. In addition, in certain cases, the public defender place a lien on any kind of property whenever the reasonable value of the services rendered to a defendant exceeds \$150 and in some instances is less than \$150.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS estimates a revenue decrease of approximately \$4 million from this bill repealing the law concerning fees for services rendered by the Office of the Public Defender. The fee collection, on average, in the last five years has been a little less than \$4 million. The State would also forego revenues from any unpaid balances currently due.

Section: Judiciary

Analyst: Anuja Pande Joshi
Senior Fiscal Analyst

Approved: Thomas Koenig
Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).