

# ASSEMBLY BUDGET COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 5587

# STATE OF NEW JERSEY

DATED: JUNE 27, 2023

The Assembly Budget Committee reports favorably Assembly Bill No. 5587.

This bill eliminates and repeals the law concerning the reimbursement of costs for services rendered by the State's Office of the Public Defender ("OPD"), which represents indigent defendants in the Superior Courts.

Current law provides that in all cases where it appears that the defendant has the means to meet some of the cost of the services rendered by the OPD, the defendant is required to reimburse the OPD. In addition, the Public Defender is required to effectuate a lien on any kind of property of the defendant whenever the reasonable value of the services rendered to that defendant appears to exceed \$150, and is permitted to effectuate a lien where the reasonable value appears to be less than \$150.

Under the bill, on or after the effective date, any unpaid outstanding costs previously assessed or imposed upon a defendant, as well as any unsatisfied civil judgements, liens on property, and warrants issued based on the unpaid balances, for services rendered by the OPD, are vacated. This bill also repeals the sections of the law pertaining to the reimbursement of costs for services rendered by the OPD, and the recoupment of such costs.

#### FISCAL IMPACT:

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.