

SUBCOMMITTEE RECOMMENDATION

SB 5532

Public Defense Service Commission

To: Ways and Means Full Committee
From: Public Safety Subcommittee
Carrier: Senator Sollman

SB 5532 is the budget bill for the Public Defense Services Commission.

The Public Safety Subcommittee approved a total funds budget of \$535.5 million, including \$514.7 million General Fund and \$20.8 million Other Funds, and 113 positions and 112.80 FTE, which is an increase of 14.8% from the 2021-23 legislatively approved budget. The budget includes new or continued investments in:

- \$113.7 million General Fund for the Emergency Board action and the release of the \$100 million special purpose appropriation
- \$21.2 million General Fund to fully fund caseloads
- \$5.4 million General Fund for the unrepresented defendant crisis
- \$3 million General Fund for nonunanimous jury convictions
- \$2.2 million General Fund to convert limited duration positions to permanent

The budget also includes the establishment of a Juvenile Trial Division and budgetarily differentiates the reimbursement of county discovery costs.

A special purpose appropriation in the amount of \$3 million General Fund is established for caseload costs that the commission is unable to mitigate during the interim legislative periods.

The budget includes four budget notes related to the development of a comprehensive remediation plan and interim reporting, development of a quality management plan, reporting on internal auditing, and reporting on caseloads and expenses for nonunanimous jury convictions.

The Subcommittee approved the existing performance measure and targets, however, the Subcommittee noted its dissatisfaction with both current reported performance as well as the lack of progress that the Commission has made to comply with the direction of the legislature related to updating the Commissions' KPMS and targets. Direction is given to the Commission to report back to the 2024 legislature.

Lastly, and apart from the 2023-25 biennium recommendation, there are two adjustments to the current 2021-23 biennial budget that account for funds to be carried over into the 2023-25 biennium for the unrepresented defendant crisis.

The Public Safety Subcommittee recommends SB 5532 be amended by the –2 amendment and be reported out do pass, as amended.