

January 26, 1998

Mr. President:

The Judiciary Committee reports a favorable recommendation on **S.B. 103**, INDIGENT DEFENSE FUND AMENDMENTS, by Senator L. Blackham, with the following amendments:

1. Page 1, Line 5 After "PROCEDURE;" insert "CREATING AN INTERIM BOARD TO MANAGE FUND MONIES UNTIL A PERMANENT BOARD CONSTITUTED;"
2. Page 1, Line 16 After line 16 insert:  
ENACTS:  
77-32-401.5, Utah Code Annotated 1953
3. Page 1, Line 17 After line 17 insert:  
Section 1. Section 77-32-401.5 is enacted to read:  
77-32-401.5. Interim Board - Members - Administrative Support - Duties.  
(1) Until the Indigent Defense Funds Board authorized by Section 77-32-401 is constituted after achieving the number of participating counties required by Sections 77-32-604 and 77-32-704, an interim board may be created within the Division of Finance composed of the following three members:  
(a) a county commissioner from a county participating in the Indigent Inmate Trust Fund pursuant to Section 77-32-502 appointed by the Utah Association of Counties;  
(b) a county attorney from a county participating in the Indigent Inmate Trust Fund pursuant to Section 77-32-502 appointed by the Utah Association of Counties; and  
(c) a representative appointed by the Administrative Office of the Courts.

*Bill Number*

*Action Class*

*Action Code*

SB0103

S

SCRAMD

(2) The Division of Finance shall provide administrative support to the interim board.

(3)(a) Members shall serve until the Indigent Defense Funds Board is constituted.

(b) When a vacancy occurs in the membership for any reason, a replacement shall be appointed for the remaining unexpired term in the same manner as the original appointment.

(4)(a) Compensation for members shall be the same as provided in Subsection 77-32-401(6).

(b) Per diem and expenses for board members shall be paid from the Indigent Inmate Trust Fund in Section 77-32-502.

(5) Until the Indigent Defense Funds Board is constituted, the interim board shall be authorized to carry out any responsibility provided to the Indigent Defense Funds Board in statute as it relates to Chapter 77, Part 5, Indigent Inmates.

(4) The action by two members present shall constitute the action of the board.

Respectfully,

Craig L. Taylor  
Committee Chair

Voting: 4-0-2

3 SB0103.SC1 bbrinton/JDH TPD/RCN 9:12 AM

*Bill Number*

*Action Class*

*Action Code*

SB0103

S

SCRAMD