



AN ACT REVISING PUBLIC DEFENDER FEES; PROVIDING THAT PUBLIC DEFENDER FEES MUST BE PAID TO THE OFFICE OF STATE PUBLIC DEFENDER FOR DEPOSIT IN THE GENERAL FUND; AMENDING SECTION 46-8-114, MCA; REPEALING SECTION 47-1-110, MCA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 46-8-114, MCA, is amended to read:

"46-8-114. Time and method of payment. (1) Except as provided in subsection (2), when a defendant is sentenced to pay the costs of assigned counsel pursuant to 46-8-113, the court may order payment to be made within a specified period of time or in specified installments.

(2) A defendant's obligation to make payments for the cost of counsel is suspended during periods of incarceration.

(3) Payments For public defender fees assessed prior to July 1, 2017, payments must be made to the clerk of the sentencing court for allocation as provided in 46-18-201, 46-18-232, and 46-18-251 and deposited in the ~~account established in 47-1-110~~ general fund.

(4) For public defender fees assessed on or after July 1, 2017, payments must be made directly to the office of state public defender and deposited in the general fund."

Section 2. Repealer. The following section of the Montana Code Annotated is repealed:

47-1-110. Public defender account.

Section 3. Effective date. [This act] is effective July 1, 2019.

- END -

I hereby certify that the within bill,
HB 0089, originated in the House.

Speaker of the House

Signed this _____ day
of _____, 2019.

Chief Clerk of the House

President of the Senate

Signed this _____ day
of _____, 2019.

HOUSE BILL NO. 89
INTRODUCED BY S. MORIGEAU
BY REQUEST OF THE STATE PUBLIC DEFENDER

AN ACT REVISING PUBLIC DEFENDER FEES; PROVIDING THAT PUBLIC DEFENDER FEES MUST BE PAID TO THE OFFICE OF STATE PUBLIC DEFENDER FOR DEPOSIT IN THE GENERAL FUND; AMENDING SECTION 46-8-114, MCA; REPEALING SECTION 47-1-110, MCA; AND PROVIDING AN EFFECTIVE DATE.