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BILL



ANALYSIS

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Senate Bill 1187 (as introduced 11-8-18)
Sponsor: Senator Marty Knollenberg
Committee: Judiciary

Date Completed: 12-5-18

CONTENT

The bill would amend the Michigan Indigent Defense Commission Act to revise the membership of the Michigan Indigent Defense Commission (MIDC).

The Michigan Indigent Defense Commission is responsible for proposing minimum standards for the local delivery of indigent criminal defense services providing effective assistance of counsel to adults throughout Michigan.

The Act specifies that the MIDC is comprised of 15 members appointed by the Governor, including one member selected to represent local units of government.

Public Act 214 of 2018, which takes effect on December 23, 2018, removes from the MIDC the one member who represents local units of government, and adds the following members, appointed by the Governor:

- One representing the funding unit of a circuit court from a list of three names submitted by the Michigan Association of Counties.
- One representing the funding unit of a district court from a list of three names submitted by the Michigan Townships Association.
- One representing the funding unit of a district court from a list of three names submitted by the Michigan Municipal League.
- One from a list of three names submitted by the State Budget Office.

Instead of one member representing the funding unit of a circuit court (as added by Public Act 214), under the bill, *two* members would represent the funding unit of a circuit court from a list of *six* names submitted by the Michigan Association of Counties.

Additionally, instead of one member from a list of names submitted by the Michigan Townships Association *and* one member from a list of names submitted by the Michigan Municipal League added by Public Act 214, the bill would add only one member representing the funding unit of a district court from a list of three names submitted by the Michigan Townships Association *or* the Michigan Municipal League. Each organization would have to alternate in submitting a list of names for each appointment after the bill's effective date.

The bill would take effect 90 days after its enactment.

MCL 780.987

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have no fiscal impact on State or local government. Although the bill would change the composition of the Michigan Indigent Defense Commission, it would not increase the overall number of commissioners from the total of eighteen allocated by Public Act 214 of 2018. Members of the MIDC do not receive compensation in their capacity as commissioners, but must be reimbursed for their actual and necessary expenses by the State Treasurer.

Fiscal Analyst: Elizabeth Raczkowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.