



SF0013

Public defender-indigency standards.

Sponsored By: Joint Judiciary Interim Committee

AN ACT relating to criminal procedure; amending indigency qualification procedures and standards for public defender representation; making conforming amendments; and providing for an effective date.

12/10/2019 Bill Number Assigned
2/7/2020 S Received for Introduction
2/10/2020 S Introduced and Referred to S01 - Judiciary 29-0-1-0-0

ROLL CALL

Ayes: Senator(s) Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Excused: Senator Agar

Ayes 29 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/12/2020 S01 - Judiciary:Recommend Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Anselmi-Dalton, Boner, Kost, Nethercott, Von Flatern

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/12/2020 S Placed on General File
2/13/2020 S COW:Passed
2/14/2020 S 2nd Reading:Passed
2/17/2020 S 3rd Reading:Passed 29-0-1-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Wasserburger

Excused: Senator Von Flatern

Ayes 29 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/17/2020 H Received for Introduction
2/24/2020 H Introduced and Referred to H01 - Judiciary
2/26/2020 H01 - Judiciary:Recommend Do Pass 9-0-0-0-0

ROLL CALL

Ayes: Representative(s) Burlingame, Gray, Jennings, Kirkbride, Pelkey, Pownall, Salazar, Stith, Washut

Ayes 9 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

2/26/2020 H Placed on General File

SF0013HW001/ADOPTED

Page 1-line 9 Delete entirely and insert "creating new subsections (f) and (g) are amended to read:".

Page 5-after line 5 Insert:

"(g) Notwithstanding subsection (f) of this section, a person may be deemed needy if the person is charged with a felony and the court, in its discretion, determines on the record after consideration of the standards set forth in Rule 44(d), Wyoming Rules of Criminal Procedure that extraordinary circumstances exist such that the person is entitled to representation." WASHUT

3/2/2020 H COW:Passed

SF0013H2001/ADOPTED

Page 3-line 8 After "funds" insert "or liquid assets".

Page 3-line 11 After "funds" insert "or liquid assets".

Page 3-line 14 After "funds" insert "or liquid assets". OLSEN, BURLINGAME, STITH

3/3/2020 H 2nd Reading:Passed

SF0013H3001/ADOPTED

Page 1-line 9 Delete "a new subsection (f)" and insert "new subsections (f) through (h)".

Page 2-line 5 After "attorney." delete "A".

Page 2-lines 6 through 23 Delete entirely.

Page 3-lines 1 through 14 Delete entirely including the Olsen, et al. second reading amendment (SF0013H2001/A) to these lines.

Page 4-line 1 Delete all new language.

Page 4-line 2 Delete all new language and insert "subsections (f) through (h) of this section and".

Page 5-after line 5 Insert the following new subsection and renumber as necessary:

"(h) Notwithstanding subsection (f) of this section, a person shall be presumed needy if:

(i) He receives at least one (1) of the following types of public assistance:

(A) Temporary Assistance for Needy Families (TANF);

(B) Emergency Aid to Elderly, Disabled and Children (EAEDC);

(C) Poverty related veteran's benefits;

(D) Supplemental nutrition assistance program;

(E) Medicaid;

(F) Supplemental Security Income (SSI).

(ii) He resides in a public mental health facility and has no available funds or liquid assets;

(iii) He is serving a sentence in a state correctional institution and has no available funds or liquid assets; or

(iv) He is in custody in a county jail and has no available funds or liquid assets.". OLSEN, STITH

3/4/2020 H 3rd Reading:Passed 49-10-1-0-0

ROLL CALL

Ayes: Representative(s) Barlow, Blackburn, Blake, Brown, Burkhart, Burlingame, Clausen, Clem, Clifford, Connolly, Crank, Dayton-Selman, Edwards, Eklund, Eyre, Flitner, Freeman, Furphy, Gray, Haley, Hallinan, Harshman, Hunt, Jennings, Kirkbride, Laursen Dan, Macguire, Newsome, Nicholas, Northrup, Obermueller, Olsen, Paxton, Pelkey, Piiparinen, Pownall, Roscoe, Salazar, Schwartz, Simpson, Stith, Styvar, Sweeney, Tass, Washut, Wilson, Winter, Yin, Zwonitzer

Nays: Representative(s) Duncan, Greear, Kinner, Larsen Lloyd, Lindholm, Loucks, Miller, Sommers, Walters, Western

Excused: Representative Henderson

Ayes 49 **Nays** 10 **Excused** 1 **Absent** 0 **Conflicts** 0

3/5/2020 S Received for Concurrence

3/5/2020 S Concur:Passed 30-0-0-0-0

ROLL CALL

Ayes: Senator(s) Agar, Anderson, Anselmi-Dalton, Baldwin, Bebout, Biteman, Boner, Bouchard, Case, Coe, Dockstader, Driskill, Ellis, Gierau, Hicks, Hutchings, James, Kinskey, Kost, Landen, Moniz, Nethercott, Pappas, Perkins, Rothfuss, Schuler, Scott, Steinmetz, Von Flatern, Wasserburger

Ayes 30 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

3/5/2020 Assigned Number SEA No. 0015

3/5/2020 S President Signed SEA No. 0015

3/6/2020 H Speaker Signed SEA No. 0015

3/10/2020 Governor Signed SEA No. 0015

3/10/2020 Assigned Chapter Number 34

Chapter No. 34 Session Laws of Wyoming 2020