



General Assembly

January Session, 2023

***Raised Bill No. 1230***

LCO No. 6059



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

***AN ACT EXPANDING ACCESS TO PUBLIC DEFENDER SERVICES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (f) of section 51-297 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective October*  
3 *1, 2023*):

4 (f) (1) As used in this chapter, "indigent defendant" means [(1)] (A) a  
5 person who is formally charged with the commission of a crime  
6 punishable by imprisonment and who does not have the financial ability  
7 at the time of his request for representation to secure competent legal  
8 representation and to provide other necessary expenses of legal  
9 representation; [(2)] (B) a child who has a right to counsel under the  
10 provisions of subsection (a) of section 46b-135 and who does not have  
11 the financial ability at the time of his request for representation to secure  
12 competent legal representation and to provide other necessary expenses  
13 of legal representation; or [(3)] (C) any person who has a right to counsel  
14 under section 46b-136 and who does not have the financial ability at the  
15 time of his request for representation to secure competent legal  
16 representation and to provide other necessary expenses of legal

17 representation.

18 (2) An assessment determining whether a person has the financial  
19 ability to secure competent legal representation and to provide other  
20 necessary expenses of legal representation or qualifies as an indigent  
21 defendant pursuant to subdivision (1) of this subsection shall be based  
22 upon guidelines established by the commission. The commission shall  
23 annually establish such guidelines providing that a person whose  
24 income, calculated as described in such guidelines, is two hundred fifty  
25 per cent or less of the federal poverty level may qualify as an indigent  
26 defendant. The commission shall make such guidelines available to the  
27 public on the Division of Public Defender Service's Internet web site.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2023	51-297(f)

**Statement of Purpose:**

To expand access to public defender services.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*