



General Assembly

Raised Bill No. 1230

January Session, 2023

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2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 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
7 ability at the time of his request for representation to secure competent
8 legal 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
12 secure competent legal representation and to provide other necessary
13 expenses of legal representation; or [(3)] (C) any person who has a
14 right to counsel under section 46b-136 and who does not have the
15 financial ability at the time of his request for representation to secure
16 competent legal representation and to provide other necessary

17 expenses of legal 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
25 fifty per cent or less of the federal poverty level may qualify as an
26 indigent defendant. The commission shall make such guidelines
27 available to the public on the Division of Public Defender Services'
28 Internet web site.

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

JUD *Joint Favorable*