



131st MAINE LEGISLATURE

LD 1625

LR 826(01)

An Act to Update Criminal Indictment Procedures and Expand the Provision of Counsel to Certain Indigent Defendants

Preliminary Fiscal Impact Statement for Original Bill

Sponsor: Sen. Beebe-Center of Knox

Committee: Criminal Justice and Public Safety

Fiscal Note Required: Yes

Preliminary Fiscal Impact Statement

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
Net Cost (Savings)				
General Fund	\$21,000	\$28,000	\$28,000	\$28,000
Appropriations/Allocations				
General Fund	\$21,000	\$28,000	\$28,000	\$28,000

Fiscal Detail and Notes

This bill expands the requirement that a court assign defense counsel to an accused indigent person to include a person charged with a Class D or Class E offense who is at risk of imprisonment if convicted and those who either have a disability preventing them from fairly participating in the criminal proceeding without counsel or who are noncitizens for whom the criminal proceeding poses a risk of adverse immigration consequences.

The Maine Commission on Indigent Legal Services will require ongoing General Fund appropriations of \$21,000 in fiscal year 2023-24 and \$28,000 in fiscal year 2024-25 and subsequent years to reimburse counsel assigned to persons under these expanded requirements. The fiscal estimate relies on available data on rates of poverty, disability, and noncitizens in the state population, court caseloads and per case costs of indigent legal services for nonfelony cases. It also takes into account that the court presently assigns defense counsel for individuals covered by the requirements in many cases. The estimate assumes an effective date of October 1, 2023.