

5291-S

Sponsor(s): Senate Committee on Law & Justice (originally sponsored by Senators McCaslin and Haugen)

Brief Title: Requiring all defendants to be responsible for indigent defense service costs unless waived for sufficient cause.

SB 5291-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, notwithstanding the determination of indigency, the court shall require a defendant convicted of an offense to pay all or a portion of the actual cost of counsel if at final disposition the court determines that the defendant has or will have the ability to pay.

Provides that only the intentional refusal to obey the court order or the intentional failure to make a good faith effort to make repayment constitutes violation of the conditions of the sentence.

Declares that, if a defendant is not able to pay such costs, the court may allow the defendant to perform community service in lieu of payment of all or a portion of the costs.