

IN THE SENATE

SENATE BILL NO. 1275

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE TRAFFIC SAFETY EDUCATION PROGRAM; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-827, IDAHO CODE, TO PROVIDE THE BOARD OF COUNTY COMMISSIONERS IN EACH COUNTY WITH THE AUTHORITY TO ESTABLISH A TRAFFIC SAFETY EDUCATION PROGRAM, TO PROVIDE REQUIREMENTS FOR SUCH PROGRAM AND TO PROVIDE FOR THE IMPOSITION AND DEPOSIT OF CERTAIN FEES; AMENDING CHAPTER 3, TITLE 50, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 50-336, IDAHO CODE, TO PROVIDE CITIES WITH THE AUTHORITY TO ESTABLISH A TRAFFIC SAFETY EDUCATION PROGRAM, TO PROVIDE REQUIREMENTS FOR SUCH PROGRAM AND TO PROVIDE FOR THE IMPOSITION AND DEPOSIT OF CERTAIN FEES; AMENDING SECTION 19-5116, IDAHO CODE, TO PROVIDE CODE REFERENCES; AND AMENDING SECTION 1-1623, IDAHO CODE, TO PROVIDE CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 8, Title 31, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 31-827, Idaho Code, and to read as follows:

31-827. TRAFFIC SAFETY EDUCATION PROGRAM -- FEES. (1) The board of county commissioners in their respective counties may establish, by ordinance, a traffic safety education program for the purpose of educating drivers in traffic safety concepts. Attendance at a traffic safety education program shall be voluntary and shall serve as a remedial action for an infraction violation in lieu of or as an alternative to the issuance of an Idaho uniform citation pursuant to the provisions of section 49-1501, Idaho Code. Any person who fails to attend a traffic safety education program after voluntarily acknowledging their commitment to so attend may be charged with the infraction violation by complaint or by uniform citation.

(2) The board of county commissioners shall impose and collect fees from persons who attend a traffic safety education program established within the county. Such fees shall be paid to the county treasurer who shall, within five (5) days after the end of the month, pay an amount of such fee as provided in section 31-3201B, Idaho Code, to the state treasurer for deposit in the peace officers standards and training fund and pay ten dollars (\$10.00) of such fee to the state treasurer for deposit in the ISTARS technology fund and pay any remaining amount of such fee to the county general fund.

SECTION 2. That Chapter 3, Title 50, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 50-336, Idaho Code, and to read as follows:

1 50-336. TRAFFIC SAFETY EDUCATION PROGRAM -- FEES. (1) Cities may es-
 2 tablish, by ordinance, a traffic safety education program for the purpose
 3 of educating drivers in traffic safety concepts. Attendance at a traffic
 4 safety education program shall be voluntary and shall serve as a remedial ac-
 5 tion for an infraction violation in lieu of or as an alternative to the is-
 6 suance of an Idaho uniform citation pursuant to the provisions of section
 7 49-1501, Idaho Code. Any person who fails to attend a traffic safety educa-
 8 tion program after voluntarily acknowledging their commitment to so attend
 9 may be charged with the infraction violation by complaint or by uniform cita-
 10 tion.

11 (2) The city shall impose and collect fees from persons who attend a
 12 traffic safety education program established within the city. Such fees
 13 shall be paid to the city treasurer who shall, within five (5) days after the
 14 end of the month, pay an amount of such fee as provided in section 31-3201B,
 15 Idaho Code, to the state treasurer for deposit in the peace officers stan-
 16 dards and training fund and pay ten dollars (\$10.00) of such fee to the state
 17 treasurer for deposit in the ISTARS technology fund and pay any remaining
 18 amount of such fee to the city general fund.

19 SECTION 3. That Section 19-5116, Idaho Code, be, and the same is hereby
 20 amended to read as follows:

21 19-5116. PEACE OFFICERS STANDARDS AND TRAINING FUND. (a) There is
 22 hereby established in the state treasury, the peace officers standards and
 23 training fund. All moneys deposited to the fund shall be expended by the
 24 peace officer standards and training council for the following purposes:

25 (1) Training peace officers, county detention officers, and self-spon-
 26 sored students within the state of Idaho, including, but not limited to,
 27 sheriffs and their deputies, officers of the Idaho state police and con-
 28 servation officers of the Idaho department of fish and game, and city
 29 and county prosecutors and their deputies;

30 (2) Salaries, costs and expenses relating to such training as provided
 31 in subsection (1) of this section;

32 (3) Such capital expenditures as the peace officer standards and train-
 33 ing council may provide for the acquisition, construction and/or im-
 34 provement of a peace officer standards and training academy; and

35 (4) Such expenditures as may be necessary to aid approved peace offi-
 36 cers training programs or county detention officer programs certified
 37 as having met the standards established by the peace officer standards
 38 and training council.

39 (b) The peace officers standards and training fund shall be funded as
 40 provided in sections 31-827, 31-3201A, ~~and~~ 31-3201B and 50-336, Idaho Code.

41 (c) All contributions and other moneys and appropriations which are
 42 designated for peace officers standards and training shall be deposited in
 43 the peace officers standards and training fund.

44 (d) Moneys received into the fund as provided in subsection (c) of this
 45 section, shall be accounted for separately.

46 (e) If the fiscal year-end balance in the fund pursuant to sections
 47 31-3201A and 31-3201B, Idaho Code, exceeds one million dollars (\$1,000,000)
 48 the excess shall revert to the general fund.

1 (f) Moneys received into the fund pursuant to the provisions of sec-
 2 tion 31-3201D, Idaho Code, shall be used for the purposes of providing basic
 3 training, continuing education and certification of misdemeanor probation
 4 officers whether those officers are employees of or by private sector con-
 5 tract with a county.

6 SECTION 4. That Section 1-1623, Idaho Code, be, and the same is hereby
 7 amended to read as follows:

8 1-1623. IDAHO STATEWIDE TRIAL COURT AUTOMATED RECORDS SYSTEM (ISTARS)
 9 TECHNOLOGY FUND. There is hereby created in the office of the state treasurer
 10 the ISTARS technology fund. Moneys deposited into the fund pursuant to sec-
 11 tions 31-827, 31-3201, 31-3201A, 31-3201H, ~~and~~ 31-3221 and 50-336, Idaho
 12 Code, upon appropriation by the legislature, shall be used by the supreme
 13 court for the purpose of maintaining, replacing and enhancing the Idaho
 14 ~~S~~statewide ~~T~~trial ~~C~~court ~~A~~utomated ~~R~~ecords ~~S~~ystem (ISTARS) program, and
 15 other technologies that assist in the efficient management of the courts,
 16 including a system for payments by credit card or debit card as provided in
 17 section 31-3221, Idaho Code, or that improve access to the courts and court
 18 records. The ISTARS technology fund shall be separate and distinct from
 19 the state general fund, and expenditures from the ISTARS technology fund
 20 shall be solely dedicated to the purposes set forth in this section. Moneys
 21 deposited into the fund may be allowed to accumulate from year to year for
 22 designated maintenance, replacement, extension or enhancement of the ISTARS
 23 program and for other technologies that assist in the efficient management
 24 of the courts. Interest earned on the investment of idle moneys in the ISTARS
 25 technology fund shall be returned to the ISTARS technology fund.