

IN THE SENATE

SENATE BILL NO. 1263

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE STATE VICTIM NOTIFICATION FUND; AMENDING CHAPTER 32, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-3204, IDAHO CODE, TO ESTABLISH A CERTAIN FEE FOR VICTIM NOTIFICATION PURPOSES; AMENDING CHAPTER 29, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-2912, IDAHO CODE, TO ESTABLISH THE STATE VICTIM NOTIFICATION FUND, TO PROVIDE FOR THE PAYMENT OF MONEYS IN SUCH FUND, TO PROVIDE CERTAIN AUTHORITY OF THE DIRECTOR OF THE IDAHO STATE POLICE AND TO PROVIDE FOR THE SOURCE OF MONEYS FOR SUCH FUND.

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

SECTION 1. That Chapter 32, 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 31-3204, Idaho Code, and to read as follows:

31-3204. VICTIM NOTIFICATION -- FEE. The court shall charge a fee of ten dollars (\$10.00) for victim notification purposes to be paid by each person found guilty of each felony or misdemeanor, except when the court orders such fee waived because the person is indigent and unable to pay such fee. Such fee shall be in addition to all other fines and fees levied. Such fee shall be paid to the county treasurer who shall, within five (5) days after the end of the month, pay such fees to the state treasurer for deposit in the state victim notification fund established in section 67-2912, Idaho Code.

SECTION 2. That Chapter 29, Title 67, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 67-2912, Idaho Code, and to read as follows:

67-2912. STATE VICTIM NOTIFICATION FUND. (1) There is hereby established in the state treasury the state victim notification fund. Moneys in the fund shall be perpetually appropriated to, and shall be used by the director of, the Idaho state police. Moneys deposited to the fund shall be expended for the purpose of defraying the costs of administering the statewide automated victim information and notification (SAVIN) system by the Idaho sheriffs' association for the purpose of satisfying the provisions of section 22, article I, of the constitution of the state of Idaho requiring victim notification of offender court and incarceration status. Moneys deposited to the fund shall be paid to the Idaho sheriffs' association on a quarterly basis for the reimbursement of all costs associated with administering the SAVIN system. The director of the Idaho state police is authorized to allocate up to five percent (5%) of the moneys in the fund for reimbursement of all administrative expenses in relation to its administration of the fund. At the end of each state fiscal year, all moneys remaining in the fund after all costs for the administration of the SAVIN system have

1 been paid, less one quarter's operating and administrative moneys, shall be
2 remitted to the crime victims compensation account established in section
3 72-1009, Idaho Code. The state treasurer shall invest all moneys in the
4 state victim notification fund and interest and proceeds earned shall be
5 retained in the fund. The Idaho sheriffs' association shall provide evi-
6 dence of an independent audit of the moneys received and expenditures made
7 under this section to the Idaho state police on a yearly basis and shall be
8 subject to audit by the Idaho state controller at the discretion of the state
9 controller.

10 (2) The state victim notification fund shall be funded as provided in
11 section 31-3204, Idaho Code.