

IN THE SENATE

SENATE BILL NO. 1172

BY FINANCE COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE STATE APPELLATE PUBLIC DEFENDER; APPROPRIATING MONEYS TO THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2024; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY; PROVIDING FOR ACCOUNTABILITY REPORTS; REPEALING SECTION 3, CHAPTER 126, LAWS OF 2022, RELATING TO OUTSIDE COUNSEL COSTS; REPEALING SECTION 4, CHAPTER 126, LAWS OF 2022, RELATING TO CAPITAL REPRESENTATION COSTS; APPROPRIATING ADDITIONAL MONEYS TO THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL YEAR 2023; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. There is hereby appropriated to the State Appellate Public Defender the following amounts to be expended according to the designated programs and expense classes from the listed fund for the period July 1, 2023, through June 30, 2024:

	FOR PERSONNEL COSTS	FOR OPERATING EXPENDITURES	FOR CAPITAL OUTLAY	TOTAL
I. OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER:				
FROM:				
General				
Fund	\$3,401,500	\$364,300	\$12,300	\$3,778,100
II. CAPITAL AND CONFLICT REPRESENTATION:				
FROM:				
General				
Fund		\$260,800		\$260,800
GRAND TOTAL	\$3,401,500	\$625,100	\$12,300	\$4,038,900

SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519, Idaho Code, the State Appellate Public Defender is authorized no more than twenty-six (26.00) full-time equivalent positions at any point during the period July 1, 2023, through June 30, 2024, unless specifically authorized by the Governor. The Joint Finance-Appropriations Committee will be notified promptly of any increased positions so authorized.

SECTION 3. REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the State Appellate Public Defender any unexpended and unencumbered bal-

1 ances appropriated to the State Appellate Public Defender from the General
2 Fund for fiscal year 2023, in an amount not to exceed \$1,309,400 from the Gen-
3 eral Fund, to be used for nonrecurring expenditures for the period July 1,
4 2023, through June 30, 2024. The Office of the State Controller shall con-
5 firm the reappropriation amount, by fund, expense class, and program, with
6 the Legislative Services Office prior to processing the reappropriation au-
7 thorized herein.

8 SECTION 4. ACCOUNTABILITY REPORTS. Funds specifically identified in
9 statute or in an appropriation act as intended for a certain purpose may be
10 used only for that purpose. All funds provided in this act shall be subject
11 to accountability reports and management reviews in accordance with Section
12 67-702, Idaho Code.

13 SECTION 5. That Section 3, Chapter 126, Laws of 2022, be, and the same is
14 hereby repealed.

15 SECTION 6. That Section 4, Chapter 126, Laws of 2022, be, and the same is
16 hereby repealed.

17 SECTION 7. In addition to the appropriation made in Section 1, Chap-
18 ter 126, Laws of 2022, and any other appropriation provided by law, there is
19 hereby appropriated to the State Appellate Public Defender for the Office of
20 the State Appellate Public Defender Program \$67,500 from the General Fund to
21 be expended for operating expenditures for the period July 1, 2022, through
22 June 30, 2023, for the purpose of increased electronic records storage ca-
23 pacity costs.

24 SECTION 8. An emergency existing therefor, which emergency is hereby
25 declared to exist, Sections 5, 6, and 7 of this act shall be in full force and
26 effect on and after passage and approval, and Sections 1, 2, 3, and 4 of this
27 act shall be in full force and effect on and after July 1, 2023.