

STATEMENT OF PURPOSE

RS18291

This bill is one of a series of bills that the Supreme Court has recommended in its annual report to the Governor concerning defects or omissions in the laws, as required under article V, section 25 of the Idaho Constitution. Idaho Code § 19-5307 provides that for certain violent crimes the court may impose a fine of up to \$5,000. This fine operates as a civil judgment against the defendant and in favor of the victim or the family of the victim in cases of homicide or crimes against children. The fine is in addition to any other penalties imposed as part of the sentence. There is no statement in the statute as to whether the clerk of the court can take action to collect this fine. In the absence of such a provision, victims may be left to shoulder the burden of enforcing the judgment. This bill would amend the statute so that the fine would continue to operate as a civil judgment in favor of the victim, but could also be collected by the clerk of the court and remitted to the victim.

FISCAL NOTE

This bill would have no impact on the general fund.

Contact:

Name: Patricia Tobias

Office: Administrative Director of the Courts

Phone: (208) 334-2246