

IN THE SENATE

SENATE BILL NO. 1041

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO THE SEXUAL OFFENDER REGISTRATION AND NOTIFICATION ACT; AMEND-  
2 ING SECTION 18-8312, IDAHO CODE, TO PROVIDE AN ADDITIONAL MEMBER TO THE  
3 SEXUAL OFFENDER MANAGEMENT BOARD WHO HAS EXPERTISE IN SEXUAL OFFENDER  
4 POLYGRAPH EXAMINATION.  
5

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

7 SECTION 1. That Section 18-8312, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 18-8312. SEXUAL OFFENDER MANAGEMENT BOARD -- APPOINTMENT -- TERMS --  
10 VACANCIES -- CHAIRMAN -- QUORUM -- QUALIFICATIONS OF MEMBERS -- COMPENSA-  
11 TION OF MEMBERS. (1) A sexual offender management board is hereby created  
12 within the Idaho department of correction. The board shall consist of ~~nine~~  
13 ten (10) voting members appointed by the governor by and with the advice  
14 and consent of the senate. Members shall be eligible for reappointment to  
15 the board without limitation. The board shall be charged with the advance-  
16 ment and oversight of sexual offender management policies and practices  
17 statewide.

18 (2) The terms of the members shall expire as follows: three (3) members  
19 on January 1, 2014; three (3) members on January 1, 2015; ~~and three (3) mem-~~  
20 bers on January 1, 2016; and one (1) member on January 1, 2018. Thereafter,  
21 any person appointed a member of the board shall hold office for three (3)  
22 years.

23 (3) Vacancies in the membership of the board shall be filled in the same  
24 manner in which the original appointments are made. Members appointed to a  
25 vacant position shall serve the remainder of the unexpired term.

26 (4) Qualifications of members.

27 (a) One (1) member of the board shall have, by education, experience and  
28 training, expertise in the assessment and treatment of adult sexual of-  
29 fenders.

30 (b) One (1) member of the board shall have, by education, experience and  
31 training, expertise in the assessment and treatment of juveniles who  
32 have been adjudicated for sexual offenses.

33 (c) One (1) member of the board shall have, by education, experience and  
34 training, expertise in cultural diversity and behavior of sexual of-  
35 fenders as they relate to assessment and treatment.

36 (d) One (1) member of the board shall be from the Idaho department of  
37 correction.

38 (e) One (1) member of the board shall be from the Idaho department of  
39 juvenile corrections.

40 (f) One (1) member of the board shall be an attorney who has experi-  
41 ence in the prosecution of sexual offenders through the criminal jus-  
42 tice process.

- 1 (g) One (1) member of the board shall be an attorney who has experi-  
2 ence in the defense of sexual offenders through the criminal justice  
3 process.
- 4 (h) One (1) member of the board shall be from the Idaho sheriffs' asso-  
5 ciation.
- 6 (i) One (1) member of the board shall be a representative of the public.
- 7 (j) One (1) member of the board shall have, by education, experience and  
8 training, expertise in postconviction sexual offender polygraph exami-  
9 nation.
- 10 (5) In addition, there shall be advisory to the board, one (1) nonvoting  
11 member representing the judiciary who shall be appointed by the chief jus-  
12 tice of the Idaho supreme court. The term of appointment for the judicial  
13 member shall be four (4) years.
- 14 (6) The board may create subcommittees to address specific issues.  
15 Such subcommittees may include board members as well as invited experts and  
16 other stakeholders or participants.
- 17 (7) The board shall elect a chairman from its members.
- 18 (8) A quorum shall exist when a majority of the board is present.
- 19 (9) Members shall be compensated as provided by section 59-509(o),  
20 Idaho Code.