

IN THE SENATE

SENATE BILL NO. 1041, As Amended

BY JUDICIARY AND RULES COMMITTEE

AN ACT

RELATING TO THE SEXUAL OFFENDER REGISTRATION AND NOTIFICATION ACT; AMENDING SECTION 18-8312, IDAHO CODE, TO PROVIDE AN ADDITIONAL MEMBER TO THE SEXUAL OFFENDER MANAGEMENT BOARD WHO HAS EXPERTISE IN SEXUAL OFFENDER POLYGRAPH EXAMINATION AND TO REVISE PROVISIONS CONCERNING THE TERMS OF MEMBERS.

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

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

18-8312. SEXUAL OFFENDER MANAGEMENT BOARD -- APPOINTMENT -- TERMS -- VACANCIES -- CHAIRMAN -- QUORUM -- QUALIFICATIONS OF MEMBERS -- COMPENSATION OF MEMBERS. (1) A sexual offender management board is hereby created within the Idaho department of correction. The board shall consist of ~~nine~~ ten (9~~10~~) voting members appointed by the governor by and with the advice and consent of the senate. Present members shall continue to serve for the balance of their initial terms of appointment. Thereafter, any member appointed or reappointed shall serve for a term of three (3) years. Members shall be eligible for reappointment to the board without limitation. The board shall be charged with the advancement and oversight of sexual offender management policies and practices statewide.

~~(2) The terms of the members shall expire as follows: three (3) members on January 1, 2014; three (3) members on January 1, 2015; and three (3) members on January 1, 2016. Thereafter, any person appointed a member of the board shall hold office for three (3) years.~~

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

~~(4) Qualifications of members.~~

~~(a) One (1) member of the board shall have, by education, experience and training, expertise in the assessment and treatment of adult sexual offenders.~~

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

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

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

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

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