

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 461

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

1
2 RELATING TO FEES; AMENDING SECTION 31-3201H, IDAHO CODE, TO PROVIDE THAT A
3 CERTAIN PORTION OF SURCHARGE FEES SHALL BE DEPOSITED IN THE STATE GEN-
4 ERAL FUND; AND AMENDING SECTION 1-1625, IDAHO CODE, TO REMOVE A CODE
5 REFERENCE.

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

7 SECTION 1. That Section 31-3201H, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 31-3201H. SURCHARGE FEE. (1) The court shall charge a surcharge fee to
10 be paid by each defendant for each criminal offense or infraction committed
11 on or after April 15, 2010, for which the defendant is found or pleads guilty.
12 Such fee shall be in addition to all other fines and fees levied.

- 13 (2) The amount of the surcharge fee shall be as follows:
14 (a) For each felony, the fee shall be one hundred dollars (\$100);
15 (b) For each misdemeanor, the fee shall be fifty dollars (\$50.00); and
16 (c) For each infraction, the fee shall be ten dollars (\$10.00).

17 (3) The fee shall be collected by the clerk of the district court and
18 shall be paid to the county treasurer, who shall, within five (5) days after
19 the end of the month, pay such fees to the state treasurer, who shall deposit
20 eighty percent (80%) of such fees in the ~~drug court, mental health court and~~
21 ~~family court services~~ state general fund created by section 1-1625, Idaho
22 Code, and twenty percent (20%) of such fees in the court technology fund cre-
23 ated by section 1-1623, Idaho Code.

24 SECTION 2. That Section 1-1625, Idaho Code, be, and the same is hereby
25 amended to read as follows:

26 1-1625. DRUG COURT, MENTAL HEALTH COURT AND FAMILY COURT SERVICES
27 FUND. There is hereby created in the office of the state treasurer a special
28 fund to be known as the drug court, mental health court and family court
29 services fund. Moneys deposited into the fund pursuant to sections 19-4705,
30 and 23-217 ~~and 31-3201H~~, Idaho Code, subject to appropriation by the legis-
31 lature, shall be used by the supreme court for the operations of drug courts
32 and mental health courts, including drug testing, substance abuse treatment
33 and supervision, mental health assessment, treatment and supervision, and
34 related court programs, as provided in chapter 56, title 19, Idaho Code, for
35 the purpose of assisting children and families in the courts, as provided in
36 chapter 14, title 32, Idaho Code, and for other court services as provided by
37 statute.