

STATEMENT OF PURPOSE

RS26060

The misdemeanor probation supervision program is to be a self-funded county program utilizing fees collected from probationers sentenced to the program. Fees collected from the probationers are to be used exclusively for misdemeanor probation services. Currently, not all of the supervision fees collected by the clerks of the court using the Odyssey Program are being used to fund misdemeanor probation as the supervision fees are being diverted, pursuant to the Idaho Supreme Court priority of payments list, to satisfy other costs, fines or fees that a probationer may be required to pay. This proposed amendment to Idaho Code § 31-3201D provides a mechanism to ensure that the supervision fees are used exclusively for misdemeanor probation services at the time the service is rendered. Allowing probationers to make their monthly payments to the board of county commissioners or its designee ensures that those payments are deposited, accounted for, and used to support misdemeanor probation supervision at the time supervision occurs rather than the fees being diverted to satisfy other costs, fines or fees pursuant to the Idaho Supreme Court's priority of payments list. A county may continue having the fees paid to the clerk of the court and having it distributed pursuant to the Idaho Supreme Court's priority of payments list. The amendment simply provides a county the option of having the fee paid to the board of county commissioners or its designee so that the supervision fee does not get diverted to first satisfy other costs, fines or fees pursuant to the priority of payments list.

FISCAL NOTE

There is no appropriation from the General Fund. This amendment enables the counties to collect and use the funds to support the misdemeanor supervision program. Without the amendment, counties may have to choose to use the county general fund to cover the costs of the program or may choose to reduce the program to only what is covered by the fees collected.

Contact:

Jim Tibbs, Commissioner
Ada County Board of Commissioners
(208) 287-7000
Erica White, Deputy Prosecutor
Ada County Prosecuting Attorney's Office
(208) 287-7700

DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).