

STATEMENT OF PURPOSE

RS26012C1

This legislation would reclassify driving without a license (49-301, Idaho Code) from a misdemeanor to a first and second offense infraction with third and subsequent violations remaining a misdemeanor. For certain driver's license suspensions, driving on a suspended license would be reduced to an infraction (18-8001(b), Idaho Code). For remaining misdemeanor violations for driving on a suspended license (18-8001(a), Idaho Code), the legislation would eliminate statutory mandatory minimum jail sentences. The legislation also would reinstate driving privileges for certain citizens previously suspended for no other reason than non-payment.

This would reduce the caseload in the courts and the demand for public defense services. It would also have a potential reduction in demand on county jails as well as alleviating a cycle of indigent citizens being unable to pay fines in one case, resulting in further charges being filed against them, resulting in a greater inability to pay.

Under current law, fines levied as part of misdemeanor violations are sent to dedicated funds while infraction fines are distributed differently. The proposed legislation includes provisions that keep moneys from infraction fines paid under this revision going to the same places to which the misdemeanor fines are currently routed.

FISCAL NOTE

State Revenues

Reduces revenue to the General Fund by \$39,316

Reduces dedicated funds by \$467,987, which includes: State Specialty Court funds \$153,000; State Highway Distribution Account \$205,725; State POST Fund \$6,400; and State PSIF \$102,862.

County Revenues

Counties will see a net increase in revenue of \$9,116,676 which includes: A net reduction in fine revenue of \$249,809 to the district court fund, which is offset by reduced incarceration costs of \$1,976,407 per year; reduced public defense costs of \$3,022,420; and reduced prosecutorial expenses of \$4,367,658.

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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).