

STATEMENT OF PURPOSE

RS26534

This is one of a series of bills the Supreme Court has recommended in its annual report to the Governor concerning defects or omissions in the laws, as required by article V, section 25 of the Idaho Constitution. The title of I.C. § 18-2509, "[p]unishment for violation of preceding section" clearly limits application of the outlined penalties to the crime of aiding escape as set forth in I.C. § 18-2508. However, the contradictory language in the body of I.C. § 18-2509 seems to expand application of the stated penalties to any violation of "this act." The act includes several crimes other than aiding escape (officers assisting escape, private persons assisting escape, felony escape, and misdemeanor escape) with differing penalties. In order to clarify that the penalty provisions of I.C. § 18-2509 only apply to violations of the "preceding section," this section's overbroad reference to "this act" should specifically refer to the crime of aiding escape as set forth in I.C. § 18-2508.

FISCAL NOTE

This proposed amendment will have no fiscal impact upon the General Fund, any other state fund, or local governments. In accordance with Joint Rule 18, the reason no fiscal impact is projected is because the amendment only corrects a conflict between the title to and language in the body of I.C. § 18-2509, and it does not involve or affect any government expenditure or revenue.

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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).