

STATEMENT OF PURPOSE

RS27266 / H0319

The amendment to Idaho Code § 19-870 will expand the Idaho State Appellate Public Defender's authority to represent indigent defendants in misdemeanor and juvenile appeals from the district court to the Idaho Court of Appeals and the Idaho Supreme Court, occurring on or after October 1, 2020.

FISCAL NOTE

The proposed legislation will have an effective date of July 1, 2020. The proposed amendments to I.C. § 19-870 will have an indirect impact on general fund money and will not affect any dedicated or federal monies. In order to continue to meet its constitutional duties under the Sixth Amendment and its ethical duties to its clients under the Idaho Rules of Professional Conduct, the SAPD will need to add one additional attorney in FY2021, with a start date of October 1, 2020. With a starting date of October 1, 2020, the fiscal impact for the new attorney position will be \$86,100 in the first year, and \$103,000 annually thereafter. In addition to salary, there will be a reoccurring annual fiscal impact of \$6,700 for professional and information technology licensing, and \$2,100 for training. The SAPD expects a one-time fiscal impact in the amount of \$72,500 for capital improvements and capital outlay.

The SAPD anticipates a FY2021 fiscal impact of \$157,400 from the general fund for personnel and other costs associated with adding one new full-time employee with a starting date of October 1, 2020. The new deputy State Appellate Public Defender will have an ongoing fiscal impact of \$111,800 each year thereafter.

The proposed amendments to I.C. § 19-870 should not have a fiscal impact on any other identifiable state agency, entity, or department as the cases to which the SAPD will be appointed are currently handled by the Office of the Attorney General and decided by Idaho's appellate courts. Idaho counties may see a fiscal benefit as the proposed legislation will help to reduce county public defender office workloads.

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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).