

## STATEMENT OF PURPOSE

RS27588 / S1337

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 statute setting the priority order for the distribution of payments made in criminal cases (I.C. § 31-3201I) fails to reference two (2) statutory fees sometimes ordered by the court. Specifically, neither fines entered on behalf of victims of violent crime pursuant to I.C. § 19-5307, nor the costs of law enforcement investigations of controlled substance violations pursuant to chapter 27, title 37, Idaho Code, are listed in the current form of the priority of payments statute. This bill suggests inserting § 19-5307 fines at the distribution slot [§ 31-3201I(8)] after restitution to crime victims since these fines, like restitution, are also distributed to victims. Similarly, since the costs of controlled substance investigations are ordered pursuant to § 37-2732(k), this proposed amendment suggests distribution of those costs at the same priority level [§ 31-3201I(23)] as other law enforcement investigatory costs ordered pursuant to § 37-2732(k). In addition, the current form of § 31-3201I does not specify that its distribution order also applies to infraction cases, nor does the statute explain that multiple payments falling within a single category are distributed in proration to each other. Thus, this amendment proposes to expressly state these current realities. Finally, this amendment also seeks to add a final category for any statutorily authorized payments not listed in the statute, correct a typographical omission in subsection (1), and fix an inaccurate statutory reference in subsection (21).

## FISCAL NOTE

This proposed amendment will have no fiscal impact upon the General Fund, any other state fund, or local governments. Since I.C. § 31-3201I only directs the order of the distribution of payments received, and since the proposed statutory changes will not affect to which funds or entities the payments are ultimately disbursed, it is projected this proposed amendment will cause neither an increase nor decrease in existing or future appropriations or revenues.

### Contact:

Jason Spillman , Legal Counsel  
Administrative Office of the Courts  
(208) 334-2246  
Barry Wood, Senior District Judge  
(208) 334-2246

**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).**