

IN THE SENATE

SENATE BILL NO. 1199

BY FINANCE COMMITTEE

AN ACT

1 RELATING TO THE APPROPRIATION TO THE STATE APPELLATE PUBLIC DEFENDER; AP-
2 PROPRIATING MONEYS TO THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL
3 YEAR 2024; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT
4 POSITIONS; PROVIDING REAPPROPRIATION AUTHORITY; PROVIDING FOR AC-
5 COUNTABILITY REPORTS; REPEALING SECTION 3, CHAPTER 126, LAWS OF 2022,
6 RELATING TO OUTSIDE COUNSEL COSTS; REPEALING SECTION 4, CHAPTER 126,
7 LAWS OF 2022, RELATING TO CAPITAL REPRESENTATION COSTS; APPROPRIATING
8 ADDITIONAL MONEYS TO THE STATE APPELLATE PUBLIC DEFENDER FOR FISCAL
9 YEAR 2023; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
10

11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. There is hereby appropriated to the State Appellate Public
13 Defender the following amounts to be expended according to the designated
14 programs and expense classes from the listed fund for the period July 1,
15 2023, through June 30, 2024:

	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	
	COSTS	EXPENDITURES	OUTLAY	TOTAL
19 I. OFFICE OF THE STATE APPELLATE PUBLIC DEFENDER:				
20 FROM:				
21 General				
22 Fund	\$3,313,600	\$364,300	\$12,300	\$3,690,200
23 II. CAPITAL AND CONFLICT REPRESENTATION:				
24 FROM:				
25 General				
26 Fund		\$260,800		\$260,800
27 GRAND TOTAL	\$3,313,600	\$625,100	\$12,300	\$3,951,000

28 SECTION 2. FTP AUTHORIZATION. In accordance with Section 67-3519,
29 Idaho Code, the State Appellate Public Defender is authorized no more than
30 twenty-six (26.00) full-time equivalent positions at any point during the
31 period July 1, 2023, through June 30, 2024, unless specifically authorized
32 by the Governor. The Joint Finance-Appropriations Committee will be noti-
33 fied promptly of any increased positions so authorized.

34 SECTION 3. REAPPROPRIATION AUTHORITY. There is hereby reappropriated
35 to the State Appellate Public Defender any unexpended and unencumbered bal-

1 ances appropriated to the State Appellate Public Defender from the General
2 Fund for fiscal year 2023, in an amount not to exceed \$1,309,400 from the Gen-
3 eral Fund, to be used for nonrecurring expenditures for the period July 1,
4 2023, through June 30, 2024. The Office of the State Controller shall con-
5 firm the reappropriation amount, by fund, expense class, and program, with
6 the Legislative Services Office prior to processing the reappropriation au-
7 thorized herein.

8 SECTION 4. ACCOUNTABILITY REPORTS. Funds specifically identified in
9 statute or in an appropriation act as intended for a certain purpose may be
10 used only for that purpose. All funds provided in this act shall be subject
11 to accountability reports and management reviews in accordance with Section
12 67-702, Idaho Code.

13 SECTION 5. That Section 3, Chapter 126, Laws of 2022, be, and the same is
14 hereby repealed.

15 SECTION 6. That Section 4, Chapter 126, Laws of 2022, be, and the same is
16 hereby repealed.

17 SECTION 7. In addition to the appropriation made in Section 1, Chap-
18 ter 126, Laws of 2022, and any other appropriation provided by law, there is
19 hereby appropriated to the State Appellate Public Defender for the Office of
20 the State Appellate Public Defender Program \$67,500 from the General Fund to
21 be expended for operating expenditures for the period July 1, 2022, through
22 June 30, 2023, for the purpose of increased electronic records storage ca-
23 pacity costs.

24 SECTION 8. An emergency existing therefor, which emergency is hereby
25 declared to exist, Sections 5, 6, and 7 of this act shall be in full force and
26 effect on and after passage and approval, and Sections 1, 2, 3, and 4 of this
27 act shall be in full force and effect on and after July 1, 2023.